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Forty-third Session, 1934

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

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GOVERNMENT OF BENGAL.

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DEPUTY PRESIDENT.

MR. RAZAUR RAHMAN KHAN, B.L.

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2. Babu JATINDRA NATH BASU.
3. Khan Bahadur MUHAMMAD ABDUL MOMIN.
4. MR. NARENDRA KUMAR BASU.

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Assistant Secretary to the Council—MR. K. ALI AFZAL, Bar.-at-Law.

BENGAL LEGISLATIVE COUNCIL

ALPHABETICAL LIST OF MEMBERS.

A

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur. [Dacca City (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Ali, Maulvi Hassan. [Dinajpur (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Armstrong, Mr. W. L. [Presidency and Burdwan (European).]
Ashworth, Mr. C. G. [Presidency and Burdwan (European).]

B

Baksh, Maulvi Shaik Rahim. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
Bal, Babu Lalit Kumar. [Bakarganj South (Non-Muhammadan).]
Bal, Rai Sahib Sarat Chandra. [Faridpur South (Non-Muhammadan).]
Ballabh, Rai Bahadur Debendra Nath. [24-Parganas Rural North (Non-Muhammadan).]
Banarji, Rai Bahadur Sailendra Nath. (Expert, Nominated.)
Banerji, Rai Bahadur Keshab Chandra. [Dacca Rural (Non-Muhammadan).]
Banerji, Mr. P. [24-Parganas Rural South (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur West (Non-Muhammadan).]
*Barman, Babu Premhari. [Dinajpur (Non-Muhammadan).]
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Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
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Birkmyre, Mr. H. (Bengal Chamber of Commerce.)
Bose, Mr. S. M., Bar.-at-Law. [Calcutta East (Non-Muhammadan).]
Bottomley, Mr. J. M. (Nominated Official.)
Burn, Mr. H. H. (Bengal Chamber of Commerce.)

C

Chatterjee, Mr. B. C., Bar.-at-Law. [Bakarganj North (Non-Muhammadan).]
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman. [Faridpur North (Muhammadan).]

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*Oath taken on the 31st January, 1934.

Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)
Chaudhuri, Dr. Jogendra Chandra. [Bogra *cum* Pabna (Non-Muhammadan).]
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Maulvi Syed Osman Haider. [Tippera North (Muhammadan).]
Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]
Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]
Choudhury, Maulvi Nural Absar. [Chittagong North (Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)

D

Dain, Mr. G. R., C.I.E. (Bengal Chamber of Commerce.)
Das, Rai Bahadur Kamini Kumar, M.B.E. [Chittagong (Non-Muhammadan).]
Das, Rai Bahadur Satyendra Kumar. [Dacca City (Non-Muhammadan).]
Dutt, Mr. G. S. (Nominated Official.)
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta Central (Non-Muhammadan).]

E

Edgley, Mr. N. G. A. (Nominated Official.)
Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur. [Minister.] [Tippera South (Muhammadan).]
Fawcus, Mr. L. R. (Nominated Official.)
Faslullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]
Ferguson, Mr. R. H. [Rajshahi (European).]

G

Ghose, Dr. Amulya Ratan. [Howrah Municipal (Non-Muhammadan).]
Ghose, Rai Bahadur Sasonka Comar, C.I.E. (Dacca University.)
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Gladding, Mr. D. (Nominated Official.)
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Guha, Babu Profulla *Kumar. [24-Parganas Municipal North (Non-Muhammadan).]
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Gupta, Mr. J. N., C.I.E., M.B.E. [Bankura West (Non-Muhammadan).]
Gupta, Rai Bahadur Mahendra Nath. (Expert, Nominated.)

H

Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Hogg, Mr. G. P., C.I.E. (Nominated Official.)
Hooper, Mr. G. G. (Nominated Official.)
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Hussain, Maulvi Latafat. (Nominated Non-official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Khan, Khan Bahadur Maulvi Muazzam Ali. [Pabna (Muhammadan).]
*Khan, Mr. Razaur Rahman, B.L. [Dacca East Rural (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
Kindersley, Mr. J. B. (Expert, Nominated.)

L

Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Lockhart, Mr. A. R. E. [Presidency and Burdwan (European).]

M

Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Mr. B. [Midnapore South (Non-Muhammadan).]

*Deputy President, Bengal Legislative Council.

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Mason, Mr. G. A. (Indian Jute Mills Association.)
McCluskie, Mr. E. T. (Anglo-Indian.)
Miller, Mr. C. C. (Bengal Chamber of Commerce.)
Mitter, the Hon'ble Sir Provash Chunder, K.C.S.I., C.I.E. (Member Executive Council.)
Mitter, Mr. S. C. (Nominated Official.)
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Momin, Khan Bahadur Muhammad Abdul. [Noakhali East (Muhammadan).]
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Mukherji, Rai Bahadur Satish Chandra. [Hooghly Rural (Non Muhammadan).]
Mukhopadhaya, Rai Sahib Sarat Chandra. [Midnapore South-East (Non-Muhammadan).]
Mullick, Mr. Mukunda Behary. (Nominated Non-official.)

N

Nag, Reverend B. A. (Nominated Non-official.)
Nag, Babu Suk Lal. [Khulna (Non-Muhammadan).]
Nandy, Maharaja Sris Chandra, of Kasimbazar. (Bengal National Chamber of Commerce.)
Nazimuddin, the Hon'ble Mr., Khwaja, C.I.E. [Minister.] [Bakarganj South (Muhammadan).]
Nicholl, Mr. C. K. (Indian Tea Association.)
Norton, Mr. H. R. (Calcutta Trades Association.)

P

Paul, Sir Hari Sanker, KT. [Calcutta South (Non-Muhammadan).]
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)
Poddar, Seth Hunuman Prosad. [Calcutta West (Non-Muhammadan).]

Q

Quasem, Maulvi Abul. [Khulna (Muhammadan).]

R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]
Rahman, Mr. A. F. [Rangpur West (Muhammadan).]
Rahman, Mr. A. F. M. Abdur-. [24-Parganas Rural (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]
Raikat, Mr. Prosanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rai Mahasai, Munindra Deb. [Hooghly Municipal (Non-Muhammadan).]
Ray, Babu Amulyadhan. [Jessore South (Non-Muhammadan).]
Ray, Babu Khetter Mohan. [Tippera (Non-Muhammadan).]
Ray, Babu Nagendra Narayan, B.L. [Rangpur East (Non-Muhammadan).]
Ray, Mr. Shanti Shekhareswar, M.A. [Malda (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
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Ray Chowdhury, Mr. K. C. (Nominated Non-official.)
Ray Chowdhury, Babu Satish Chandra. [Mymensingh East (Non-Muhammadan).]
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Rout, Babu Hoseni. [Midnapore North (Non-Muhammadan).]
Roy, the Hon'ble Sir Bijoy Prasad Singh, KT. [Minister.] [Burdwan South (Non-Muhammadan).]
Roy, Babu Haribansa. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Jitendra Nath. [Jessore North (Non-Muhammadan).]
Roy, Mr. Saileswar Singh. [Burdwan North (Non-Muhammadan).]
Roy, Mr. Sarat Kumar. (Presidency Landholders.)
Roy, Mr. S. N., C.I.E. (Nominated Official.)
Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Sahana, Babu Satya Kinkar. [Bankura East (Non-Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
Sarker, Rai Bahadur Rebati Mohan. (Nominated Non-official.)
Sen, Rai Sahib Akshoy Kumar. [Faridpur North (Non-Muhammadan).]

*President of the Bengal Legislative Council.

Sen, Mr. B. R. (Nominated Official.)
Sen, Rai Bahadur Jogesh Chandra. [24-Parganas Municipal South (Non-Muhammadan).]
Sen Gupta, Dr. Naresh Chandra. [Mymensingh West (Non-Muhammadan).]
Shah, Maulvi Abdul Hamid. [Mymensingh East (Muhammadan).]
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Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Steven, Mr. J. W. R. [Dacca and Chittagong (European).]
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Sumner, Mr. C. R. (Bengal Chamber of Commerce.)

T

Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Townend, Mr. H. P. V. (Nominated Official.)

W

Walker, Mr. W. A. M. (Indian Jute Mills Association.)
Wilkinson, Mr. H. R., C.I.E. (Nominated Official.)
*Williams, Mr. A. deC., I.C.S. (Nominated Official.)
Woodhead, the Hon'ble Mr. J. A., C.I.E. (Member, Executive Council.)

*Oath taken on the 14th February, 1934.

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS

(Official Report of the Forty-third Session.)

Volume XLIII—No. 5.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 12th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 99 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Bursar of the Presidency College.

*108. **Maulvi AZIZUR RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that there is a post of Bursar in the Presidency College, Calcutta, and college teachers are appointed to the post by rotation?

(*b*) If the answer to (*a*) is in the affirmative, what is the allowance given to the Bursar per month?

(*c*) What was the year in which the post of the Bursar to the Presidency College was created by Government?

(*d*) Was any Mussalman teacher of that college ever appointed to the post of the Bursar since its creation?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) There is a post of Bursar at the Presidency College. It was contemplated in 1919 that the post should be held in rotation by suitable officers of the Indian and Provincial (now Bengal) Educational Services and by Indian and European officers.

(*b*) Rs. 125 per month subject to the emergency cut in force.

(*c*) 1915.

(*d*) No.

Maulvi ABDUL KARIM: Will the Hon'ble Minister be pleased to state why during all these years no Muhammadan teachers have been appointed to the post of Bursar?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There was no one available; besides other suitable teachers were available and they take the post in rotation. Actually the number of people who have done this work does not exceed 4 or 5.

Maulvi SYED MAJID BAKSH: Do I understand that there was dearth of such teachers in the Presidency College?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There have been only two posts held by Muhammadans since 1915.

Babu HEM CHANDRA ROY CHAUDHURI: What is the number of Muhammadan Professors in the Presidency College?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have just replied to it.

Impositors of the Bengal Government Press.

*100. **Mr. K. C. RAY CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Finance Department aware that the post of the impositors in the Bengal Government Press has been abolished since July, 1933?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what amount of money has been saved by this retrenchment;

(*ii*) who are doing the work of the impositors at present; and

(*iii*) what expense is involved in getting their work done?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) Yes.

(*b*) (*i*) The ultimate savings will amount to about Rs. 4,500 per annum.

(*ii*) The compositors.

(*iii*) None.

BUDGET GRANTS OF THE GOVERNMENT OF BENGAL FOR 1934-35

DEMAND FOR GRANT.

5—Land Revenue.

The Hon'ble Sir CHARU CHUNDER GHOSE: On the recommendation of His Excellency the Governor I move that a sum of Rs. 36,84,000 be granted for expenditure under the head "5—Land Revenue".

Sir, I desire to add this: that the estimate under the minor heads "Survey and Settlement" for the ensuing year provides for the completion of the settlement operations in Burdwan, Hooghly and Malda, for the continuance of operations in Dinajpur, in Rangpur and for the initiation of operation in Dinajpur and Howrah. Howrah was not mentioned along with Dinajpur at page 33 of the Financial Statement. But after very careful consideration Government have now decided to take up operations in both the districts simultaneously for the sake of economy and efficiency and to restrict expenditure in Survey operations in any one year so that it does not exceed the average annual expenditure for the last three years.

Motions for reduction or refusal.

Mr. P. BANERJI: I beg to move that the demand of Rs. 1,44,000 under the head "5A—Land Revenue—Charges of Administration—Land Acquisition Establishment" be reduced by Rs. 100 (extravagant expenditure and corruption).

Sir, you are aware that charges for extravagant expenditure and corruption have been brought systematically before the House for the last few years but with no material change in the administration of this department. It is well known that in the beginning there was only one Land Acquisition Officer in the 24-Parganas who used to control six other districts of the Presidency Division and also portions of Faridpur and Burdwan Divisions as also the railway administration from Sealdah right up to Goalando and subsequently up to Siliguri. Subsequently a separate officer was appointed for the railways and then when the Improvement Trust operations were introduced in 1914, another Land Acquisition Officer was appointed in Calcutta. As years went on different officers have been appointed in different districts of Bengal with the result that expenditure has increased particularly under the establishment charge. It is noteworthy that all deputy collectors are not competent enough to conduct this work efficiently because some knowledge of land laws is necessary and deputy collectors who had this

nowledge used to get special allowance—not merely motor car allowance for this sort of work. Sir, some of these officers would not follow he system of local payments. Suppose a poor cultivator will have to ay Rs. 4 and he is sent for by the officer to come to the district town o get payment. Now for the sum of Rs. 4 that poor cultivator would ave to spend money of travelling and on his looding and lodging in he district town and more often than not he would find great difficulty n getting persons to identify him for the purpose of payment. The ate Sir William Prentice made certain rules in order to redress these rievances but ultimately it has been found that that rule has not been ollowed. Mr. Jitendralal Bannerjee and myself have brought this to he notice of Government from time to time. Government have made ertain rules but there are still difficulties about getting payment. Sir, ny suggestion is that all these payments may be made through the ost office by money order. Then there would be no difficulty whatsoever. The poor cultivator will get his due all right and the postman vill have him identified in the ordinary way, but the Government has ever listened to this suggestion with the result that there is considerable sufferings among the poor people in regard to this matter. I vould suggest that the system of money order may be introduced and I am sure that so far as this matter is concerned there will not be any nore grievance.

The case was mentioned last year about payment by these Land Acquisition Officers; an award was made which was subsequently loubled or trebled and the case was compromised. Government said at hat time that it was not within their competence to do anything. If he party is dissatisfied with the award, it is the business of the court to evise it if it thinks necessary, but some of the land acquisition officers lo not seem to know this. It is beyond my comprehension that when a certain officer makes an award of Rs. 10,000 how can it be increased to Rs. 15,000 by another officer after the transfer of the former officer. I remember a case at Dakhineswer where a whole property has been acquired for Rs. 50,000 but where only a small portion of the garage has been taken possession of up till now. The arrangement was that the materials will be handed over to the owner by the railway authorities for whom the acquisition was made but even now the buildings stand intact. The lands and the gardens are there intact and Rs. 50,000 have been paid to the owner. That is the state of affairs in this department and when the matter is brought before the Government they say that it does not concern them. It was a concern of the railway authorities. Sir, no wonder that there is a deficit of seven crores in the railway administration. Sir, Government always defend their officers even when they run the risk of deficit. Government think that all their officers are very good and honest people, but still there are officers who are brought before the court on charges of corruption. I myself have brought before the notice of Government some cases of corruption

on the part of their officers, but Government took no action; on the contrary, they rewarded these officers with titles while they only deserve reprimands. That is why Government departments are rotten to the core—not only one particular department but all the other departments. Government should now effect economy in all directions but Government would not do that because they have nothing to do and because they know that their salaries will not be touched in any way. That is an attitude we all resent from this side of the House. That is why I bring it to the notice of the Government that this economy must be effected in all directions and that the number of land acquisition collectors should be decreased. Sir, the appointment of a committee or of a retrenchment committee officer will not do. Economy has got to be effected in all directions. With these words, Sir, I move my motion.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am afraid I cannot join the previous speaker in his castigation of a very important department of the revenue administration of this Government. His amendment has been tabled mainly to discuss two points, namely, extravagant expenditure and corruption. I am afraid he has not been able to make out a case on either of these points. As regards extravagance in expenditure I would like to draw the attention of my friend to the comparative statements of expenditure incurred in different years from which he will find that the amount budgeted for 1934-35 is Rs. 1,74,000 as against Rs. 1,80,000 in 1932-33 and Rs. 1,68,000 in the revised estimates for 1933-34. There is not much increase. At the same time he will see that the voted portion of it is really lower than what was actually in 1932-33, that is Rs. 1,44,000 in place of Rs. 1,55,000. I may add that as far as the expenditure on land acquisition work it is recouped by Government from the department for which the land is acquired. Formerly, the work was normally done by one officer. Now it is being done by various officers. I do not know whether my friend knows that the work of land acquisition departments has in recent years increased 400-folds. Formerly land acquisition work used to be done only for Government purposes. Now by one particular department only, that is the Calcutta Improvement Trust, land acquisition of very valuable properties has to be done and for which a semi-permanent staff has to be maintained. Then again land has got to be acquired for the railways, canals and for many other purposes for which it is necessary to employ separate staff. Whatever it is, I do not think that my friend Mr. Banerji is competent to say that this Department is being run on extravagant lines because he is not competent to know the details of the work, the amount actually done, the number of officers required for doing this and that——

Mr. PRESIDENT: You should not question the competence of the Member in the manner you are doing.

Khan Bahadur Muhammad ABDUL MOMIN: Of course, Sir, my friend, Mr. Banerji, is probably competent in words to discuss nearly every subject in the world on the floor of this House but with what relevancy and usefulness I leave it to the House to judge.

Mr. PRESIDENT: I am the sole judge of that.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Of course, Sir. Regarding the charge of corruption my friend complains that tenants have got to come to the town to take the compensation money that is awarded to them and he suggests that this should be sent to them by money order. As a matter of fact he is not aware that under the rules and also under the practice the Land Acquisition Officer does not summon the tenants to the town but fixes a centre in the rural areas and there he comes and collects the people and distributes the compensation money to them. It is certainly convenient to them and the question of identification does not arise. On the other hand, if the compensation money be sent to them by money order, as has been suggested by my learned friend, Mr. Banerji, there is the greater chance and likelihood of the money not reaching them than it is under the present system. If money is sent to them through postal peons who perhaps do not know the actual tenants the question of identification arises. Then there is another point. If the compensation money be sent to the tenants by money order direct by the officer, in that case the money order commission will have to be deducted from the award. That, Sir, will be another harassment to the tenants concerned. He has stated some cases in which awards were raised from Rs. 13,000 to Rs. 50,000. I do not understand how an award could be raised by one officer exercising the same jurisdiction as another officer before. The award may be increased by superior authorities either by the District Judge or by the High Court. But once an award has been given by a Land Acquisition Officer another officer cannot enhance under any law or under any practice. Therefore, Sir, I say that what Mr. Banerji says is saying without knowing the actual conditions of things. However, be that as it may the best course would be that when a particular tenant is not satisfied with the award of compensation money, he should appeal to the proper authority concerned against that award.

As regards the charge of corruption I do not think that there is any more corruption in the Land Acquisition Department than in any other Department of administration, civil or criminal. I do not say that everybody is absolutely innocent or like Cæsar's wife above suspicion. The Land Acquisition Department is a temporary one and the staff gets a small salary. There is corruption everywhere but I do not think that it is more in the Department than in any other Department of Government. With these words I oppose this motion.

Babu AMULYADHAN RAY: I had no intention to speak on this motion but the speech of Khan Bahadur Muhammad Abdul Momin has compelled me to take part in this debate. It is no wonder that the Khan Bahadur will sympathise with the Land Acquisition Officers, but I ask him: Has he ever been to a Land Acquisition Office as a party to take compensation money? Has he ever been there? I think he has never been there. I have got personal experience in this matter. Sir, some of my land was acquired by the railway authorities within the jurisdiction of the Bally Municipality and outside it and I have had experience of what happens in the Land Acquisition Office at Alipore. I can say that the state of affairs there is far from satisfactory and officers who are there are not free from corruption. I can tell you that to get the compensation money I had to spend one and a half years and do you know why? Because I refused to pay them money. I do not like to say much as regards this matter, but I want to completely repudiate every word of the Khan Bahadur because he has got no personal experience as to what happens in the office itself. He may have been a big officer but he does not know what happens to the parties and what difficulties and inconvenience they have to suffer.

The Hon'ble Sir CHARU CHUNDER GHOSE: As regards the specific complaints made by the hon'ble members, they have been sufficiently answered by the Khan Bahadur, and it would not have been necessary for me to say anything further but I desire to point out that as regards the specific complaint made by Mr. Banerji, namely, the harassment to claimants in the matter of receiving compensation money when the amount is small, there are rules made by the Board of Revenue which provide for the payment of the compensation money by money order, when the compensation money awarded is Rs. 50 or anything under that sum, and our information is that these rules are followed and adhered to. As the Khan Bahadur has mentioned many officers go to the place where acquisition matters are in progress and some of the payments are made on the spot. That has been done so far as my knowledge extends in the matter of acquisition of land. I have seen it with my own eyes at Barrackpore and near about, and it is not correct to say that claimants are harassed, made to dance attendance from day to day, and in the end they have to spend money on unlawful demands, and then they receive compensation. This is not the case, and so far as my knowledge goes, it is not the state of affairs in practice.

As regards corruption, I desire to make one general observation. The easiest thing to stop corruption is for the person who is suffering harassment to make a complaint to the Collector of the district. If he does not attend to the complaint, there is the Commissioner of the Division, and then there is the Board of Revenue, and finally, I desire to say that so long as I have the honour of holding the office I now

occupy, if any complaint is brought to my notice, I shall personally inquire into the matter. What more is expected of Government, I do not know. First of all there is extreme reluctance on the part of our people to make complaint; in the second place complaint has to be pursued and persisted in. If the Collector does not attend, or his Deputy Collector, there is the Commissioner of the Division who can be approached, and if the Commissioner does not attend, there is the Board of Revenue, and finally there is the Government itself, and lastly our people do not hesitate to take to the newspaper office any such complaint which they think can legitimately be made. There is no reluctance, I have noticed on the part of our people, to take these complaints to the nearest newspaper office, and as a matter of fact, everyone knows that on the slightest provocation, they run to the newspaper office.

Mr. P. BANERJI: That is expensive.

The Hon'ble Sir CHARU CHUNDER GHOSE: It is not expensive to go to the newspaper office. On the contrary, it is the easiest thing to be done, and is often done.

Mr. P. BANERJI: Is it possible for the poor cultivator to spend money and go to the Collector?

The Hon'ble Sir CHARU CHUNDER GHOSE: The next matter referred to by the Hon'ble Member is the question of extravagant expenditure incurred by the Land Acquisition Department.

Mr. P. BANERJI: What about the information about the money order?

The Hon'ble Sir CHARU CHUNDER GHOSE: I stand by the opinion of the Khan Bahadur: As a matter of fact the expenditure has been going down. I have had the figures examined, and have ascertained that so far as this year is concerned, the expenditure will be kept within the narrowest possible limits. As a matter of fact there are not many projects for land acquisition this year. The people for whom lands are acquired are generally bodies like the Calcutta Improvement Trust, the Calcutta Corporation, the Municipalities, the Railways, and in one or two instances, the Government; take the case of the Damodar Canal, but so far as this year is concerned, the projects have not been many. The projects received are being scrutinised and every effort is being made to cut down the expenditure to the strictest possible limit. There is no extravagant expenditure. It is easy to say that there is extravagant expenditure everywhere and that steps should be taken here and there, but when one goes upon facts and examines the facts,

and if you take a series of facts, you will have no difficulty whatever in coming to the conclusion that the expenditure is not mounting up, and that the expenditure is being kept within proper limits, and the department in question is not extravagant at all. As a matter of fact, as has already been pointed out by the Khan Bahadur Momin, 80 *per cent.* of the monies paid out as compensation are recoverable and are recovered from the bodies at whose instance and on whose behalf lands are acquired. It is only 20 *per cent.* that Government have had to pay in the last 5 or 6 years. Eighty *per cent.* is recoverable and are recovered without any difficulty whatever. As the hon'ble member is an expert on land acquisition matters he ought to know that before application is made for acquisition, the party on whose application the acquisition is made is requested by the Collector to deposit the money in the Collectorate and it is only then that further progress is made. Sites are then selected and acquired, and the authorities are communicated with. That is the universal experience of everybody who has had to interest himself in acquiring land either for a school or a hospital, and that sort of thing. I oppose this motion.

The motion was put and lost

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 1,44,000 under the head "5A - Charge of administration Land acquisition establishment" be reduced by Rs. 100 (acquisition of land for Kalipur-Dala Road, under the Chittagong District Board).

He spoke in Bengali in support of his motion.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, as regards what has been urged by the hon'ble member my short and simple answer is that no such proposals have been received by Government.

The motion was then put and lost.

Rai Sahib SARAT CHANDRA BAL: I beg to move that the demand of Rs. 1,44,000 under the head "5A—Charges of administration —Land acquisition establishment" be reduced by Rs. 100 (acquisition of land for the morgue at Gopalganj subdivision).

Sir, by moving this cut motion I must impress upon Government the necessity of selecting a suitable site for the morgue at Gopalganj. The present morgue is situated only 200 yards from the sub-jail and only 50 yards from the cholera ward of the medical dispensary, and by the side of this morgue there is the house of a pleader. Now, what actually happens is this. Dead bodies are brought here for identification and *post mortem* examination and bodies are sometimes not claimed

and remain there. These unclaimed bodies are sometimes buried near-by. I have seen myself that they are buried by the side of the morgue. This morgue has no compound wall and it often so happens that dogs and jackals dig out the bodies buried there and carry them to the compounds of neighbouring houses. Therefore, a great nuisance is caused. I suggest to Government that they should take immediate steps in the matter, because, as I have said, the morgue is situated in the very heart of the town. If a *pucca* wall is built, then there will be no difficulty. The next thing that I suggest is that unclaimed bodies should not be buried within the compound. With these words, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, may I know how Government is concerned in this matter? I think it is the District Board or the Municipality that are concerned.

Mr. PRESIDENT: I think the Hon'ble Member should be able to clear up the point.

The Hon'ble Sir CHARU CHUNDER GHOSE: Acquisition of land has not been proceeded with for lack of funds. The necessity for the removal of the morgue is recognised, but owing to lack of funds nothing has been done, and as far as I can see nothing will be done in the near future. But as soon as funds are available, we shall certainly consider the question of the removal of the morgue.

The motion was then, by leave of the House, withdrawn.

Maulvi ABUL QUASEM: I beg to move that the demand of Rs. 1,44,000 under the head "5A—Charges of administration—Land acquisition establishment" be reduced by Rs. 100 (to protest against the action of the Khulna Collectorate in acquiring land in the village Sonadanga in proximity to an *Idgah* for the Khulna Municipality for purposes of a trenching ground).

My object in bringing this cut motion is to draw attention to the utter recklessness and thoughtlessness with which lands are sometimes acquired for so-called public purposes. Sir, at the instance of the Khulna Municipality land was acquired some years ago in the village Sonadanga which is not very far from the Khulna town for the purpose of a trenching ground where the filth and refuse of the town would be deposited. The land acquired is situated in the midst of paddy fields where cultivators have to work to raise their crops. The land is low-lying and the municipality has dug a tank there and raised the level of the surrounding ground in order to make it fit for deposit of the filth

and refuse of the town. There are several villages in the neighbourhood such as Nurnagar, Gobarchaka, Shib-bati, Sheikhpura, and these villages are inhabited mostly by poor Muslims and Hindus. If there had been in these villages educated and wealthy people, the municipality would not have dared to propose to acquire land in this particular village. Sir, I do deliberately bring this charge against Government that in acquiring land for the Khulna Municipality, the comfort and well-being of the luckless villagers were simply given short shrift so that the needs of the Khulna town might be ministered to. Under the Land Acquisition Act Government acquires land for a public purpose, which is not defined in the Land Acquisition Act. Government is the sole judge of what a public purpose is. It would appear, Sir, that a public purpose according to Government is that which serves a particular section of the people, no matter whether it proves a source of great nuisance to another section, however numerous. Here it is only the convenience of the Khulna Municipality that has been taken into consideration in acquiring land in that particular village. Sir, I speak from personal knowledge when I say that this trenching ground will prove a source of unspeakable nuisance to the villages which I have already mentioned. The cultivators have got to work there from morning till evening and you can well-imagine how very difficult and disagreeable it would be for them when all the time a foul smell would be coming out. These men will have to work in close proximity to the trenching ground. Sir, is it right, is it just that men who have got to depend upon the produce of their land should have to work in the neighbourhood of such a vile nuisance? I do submit that the plight of these poor villagers were never taken into consideration when the municipality proposed that land should be acquired there. I do say that there were other places available, but they were not convenient to the municipality because they were not very near to the town, and I am sorry to say that Government readily fell in with the wishes of the municipality without caring to consider what a nuisance would be caused to the villagers. There is an *Idgah* near-by where Muslims have to say their congregational prayers on the occasion of the *Id* festivals. Sir, is it fair that the Moslems should be compelled to say their prayers in close proximity to this trenching ground? It might be urged why did not the people object at the time of the preliminary notification? Under section 5A of the Land Acquisition Act only persons having interest in the land proposed to be acquired might lodge a complaint to the Collector and so the public had no voice in this matter. Those people whose lands were acquired being poor and illiterate could do nothing. The trenching ground is being prepared and is nearing completion and in a short time is going to be used for the purpose for which it has been acquired. Sir, our Government is said to be paternal and benevolent and its trusteeship of the masses is trotted out in season and out of season. The municipality wanted the

land and the people expected that Government would give more consideration to their difficulties and inconveniences than the municipality. I submit, Sir, that people's expectation was sadly disappointed.

The Hon'ble Mr. J. A. WOODHEAD: Sir, is the hon'ble member referring to land which has already been acquired or is going to be acquired?

Maulvi ABUL QUASEM: I have already said, Sir, that the land was acquired several years ago and the municipality has taken over the plots and has dug a tank and has raised the surrounding ground in order to turn it into a trenching ground. The people in their humble way have protested from the very beginning by holding public meetings and recording resolutions which they have forwarded to the authorities. They also approached the public health authorities and the Public Health Department, it is understood, suggested the shifting of the trenching ground to a more distant place. Only during the present session I interpellated Government on the particular subject and I was told that the Public Health Department was still in correspondence with the municipality. In the meanwhile the municipality with the utmost possible speed is pushing forward the scheme and would seem to be paying little heed to the recommendation of the Public Health Department. After having visited the spot myself I have no manner of doubt left in my mind that the sufferings of the people will be intense. I therefore appeal to Government to come to their rescue, otherwise the life of the people there will be simply unbearable. Sir, this trenching ground, I humbly submit, is one lurid instance of how during the present British administration of India the interests of villages have been recklessly sacrificed so that towns may grow and flourish. The interests of these poor people have been given the go-bye: it is not suggested that no other spot was available. I do submit that other spots are available but they are not so near to the town and so convenient to municipality as this particular one. Just imagine, Sir, that the people who work in the fields there drink the water collected there during the rains. They will have to stand the foul odour from the trenching ground during all hours of the day and night. Hon'ble members who have knowledge of a trenching ground will remember that unless a trench is quite full, it is not covered with earth, and even when it is covered with earth it is done in a very perfunctory manner, so that smell always continues to come and swarms of flies gather and breed there. If there were no other place available for the purpose one could understand the erecting of a trenching ground there. I submit that Government should even now come to the rescue of the people, indemnify the municipality, if necessary, for the work they have carried out there, and require it to have its trenching ground at a less objectionable place.

Rai Sahib AKSHOY KUMAR SEN: Sir, while supporting this motion, I beg to add a few words. It may be argued by the Hon'ble Member that the land has already been acquired and a trenching ground has already been prepared. But my submission in reply to that argument is that the Government have ample authority to inquire into and remove, under section 545 of the Amended Bengal Municipal Act of 1932, any such nuisance. The Commissioner and the District Magistrate are empowered to supervise and inspect or cause an inspection to be made with regard to any immovable property used or occupied by the municipal commissioners and if after inspection it is found that the same is a source of nuisance to the locality they can recommend for its removal under section 545 of the Bengal Municipal Act. In this particular case, if the trenching ground is situated, as my friend Maulvi Abul Quasem says, near the *Idgah* where religious congregation is held by the Moslems it is highly objectionable that such a trenching ground should be allowed to be there.

I submit, Sir, that under section 5A of the Land Acquisition Act, although there is a provision to the effect that a person who can claim an interest to the compensation awarded has some right to file objections but the other persons who are interested in this way, as my friend says, in the saying of prayers, congregational prayers and such other things, have no right to file any objection under section 5A; but they can appeal to the authorities to have the nuisance removed, especially in a case where it is situated near a place of public worship. I am sorry to say though perhaps it may not be relevant that such a trenching ground has been constructed at Faridpur which is in close proximity to the আশ্রম of the মহাপ্রভু, the renowned Saint Jagatbandhu. Sir, I do not know if the municipalities have a special liking for constructing their trenching grounds near religious places either *Idgahs* or আশ্রম. I submit, Sir, that Government will kindly look into the matter and if there is actually an *Idgah* there, remove the trenching ground. As I have already said, Government—I mean the Commissioner and the Collector—have powers to inspect the place; they can do so and remove this nuisance if it is really found to be so. I submit, Sir, that the grievance which has been stated by my friend Maulvi Abul Quasem should be inquired into and removed. With these words I support the motion of my friend Maulvi Abul Quasem.

Maulvi NAUSHER ALI: I beg to support the motion moved by my friend Maulvi Abul Quasem. He has spoken from personal knowledge but though I have not got the same amount of personal knowledge in this matter, I have got some knowledge which I think will corroborate Maulvi Abul Quasem. The poor people of the locality have been trying from the very beginning to have the trenching ground removed and as far as my knowledge goes they moved the commissioners

of the municipality, they moved the District Magistrate and they moved the Commissioner of the Division also, and my last information was that the Commissioner was pleased to call for a report from the District Magistrate but the report has not yet reached the Commissioner. In the meantime, as has been said by Maulvi Abul Quasem, a report was called for from the Public Health Department, and so far as my knowledge goes the Public Health Department gave their opinion in favour of the complainants. Of course, I speak subject to correction but that was the information that was given to me. Now, Sir, I do not base my argument on the proximity of an *Idgah* to the place where this trenching ground is going to be constructed or on the ground that it is in a paddy field. On the other hand, there must be some place somewhere for a trenching ground for the Khulna Municipality. The point is whether this particular locality is a suitable one. As far as my information goes this place is not at all suitable for the purpose. It may be convenient to a certain extent so far as the municipality is concerned; but it is admittedly most detrimental to the sanitation of the locality—I mean the villages round about that place. It is on this ground and this ground alone that I request the Hon'ble Member in charge of the Department to hold an inquiry, and I hope he will bring his judicial mind to bear on this point and the poor people will get a redress at his hands. I hope my request will not go unheeded. With these words I support the motion.

Maulvi TAMIZUDDIN KHAN: I beg to support the motion of my friend Maulvi Abul Quasem, but not on the ground that has been urged by my friend Maulvi Nausher Ali. He says that he does not attach much importance to the fact that there is an *Idgah* in close proximity to the locality chosen for the construction of the trenching ground. I think however that that is the most important ground on which there should be no trenching ground in that plot. As regards the question of sanitation I have no personal knowledge of the matter; I think the local leaders have much more intimate knowledge about this than many of us here in this House. But the mere fact that an *Idgah* stands near to the place where it is proposed to construct the trenching ground is in itself reprehensible. I cannot conceive of a trenching ground near a place of public worship, be that a place of worship for Muslims, for Hindus, or for any other community. Sir, it is unthinkable and so far as the sentiments of our country go, people cannot simply bear the idea that there should be a trenching ground near a place of worship. There might have been some laches on the part of the aggrieved people. I do not know whether they raised any objection at the very beginning. Perhaps, further difficulties have been created by the fact that the construction has already advanced. But I think it is a matter of so great importance that Government should intervene even if there had been some laches on the part of the people and even if the work of

construction has advanced. Unless Government steps in and intervenes I think a centre of trouble will be created which may in future be regretted by all. I think, therefore, that the Hon'ble Member should take a sympathetic attitude in the matter.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Although it is a local matter yet I rise to add my support to the motion. All the arguments in favour of the motion have been advanced by the previous speakers and I rise simply to say that I fully accord my support to all that they have said. I hope that Government will not hesitate to intervene in the matter and put a stop to the undesirable thing that is growing there.

Kazi EMDADUL HOQUE: I also rise to give my hearty support to the motion moved by my friend Maulvi Abul Quasem. I appreciate his difficulties and I fully realise the circumstances under which he has been compelled to bring this motion before this House. I think, Sir, he left no stone unturned to get the matter redressed with the local authorities. But having failed there he has been compelled to ventilate his grievance in the Council here. I also have a similar grievance in this matter. Here a trenching ground is going to be established in the neighbourhood of an *Idgah*, but in my subdivision in Kurigram I understand an attempt has been made to establish a prostitutes' quarters near a mosque as well as near a Madrasah.

The Hon'ble Mr. J. A. WOODHEAD: By land acquisition?

Kazi EMDADUL HOQUE: That I do not know, but this much I can say that the local officials are behind it. What I beg to submit to you is this—just fancy the sense of proportion of these officials to initiate land acquisition proceedings without caring to consider whether the interest of a mosque or the *Idgah* is to be preserved or the interest of a trenching ground or a prostitutes' quarters should prevail. There is a village called *Nari* within the Burdwan Municipality—

Mr. PRESIDENT: I do not think you should go into all these details.

Kazi EMDADUL HOQUE: There I understand a trenching ground is going to be constructed.

Mr. PRESIDENT: You are again straying away from the point. Can you advance any fresh argument in support of Maulvi Abul Quasem's case which is now under review?

Kazi EMDADUL HOQUE: I will try, Sir. It may be said that so far as bringing this matter to the notice of this Council is concerned,

no earlier attempt was made by the people of the locality in that they did not file any objection at the time, and that had they done so it might have been looked into and the matter might have taken a different turn altogether. But may I ask the Hon'ble Member whether the illiterate people of the villages are expected to know whether and at what particular time objections are to be filed? Of course, it may be said that ignorance of law is no excuse. But it does not lie in the mouth of the present Government to say that. Have you given primary education to the people that they should know by themselves that there is such and such a provision in the Act and that such and such thing should be done, and that difficulties cannot be removed unless you file objections. You have not given these people any kind of primary education, or even the rudiments of it. How can you then expect them, these poor people, to file objections? If they had even the elements of education necessary for filing objections, then they could have done so.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I beg to support the motion of my hon'ble friend. It is quite clear that he has made out a very strong case for a re-examination of the subject. And in view of the strong feeling in the area, I hope that Government will change the site of the trenching ground.

Khan Bahadur Maulvi EMADUDDIN AHMED: Sir, I beg to support this motion. I should only like to add that it would be better to let out such lands to the poor people, if the municipality does not get a purchaser for the same. I should like to add further that in this particular case the acquirement is double offensive inasmuch as it is close to an *Idgah*. You know, Sir, how illiterate both the Mussalman and the Hindu tenantry are and it is unnecessary for me to remind the House that these people feel very bitterly in such cases. I hope, Sir, Government would see its way to prevent such acquirements in future.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, at the outset I desire to say this: that Government have every sympathy with what has been stated by the hon'ble member who has moved this not been acquired and that the proposal for a trenching ground was not been acquired and that the proposal for a trenching ground were under the examination of the Public Health Department of the local Government; but the hon'ble member has informed us that he knows that the land has already been acquired for a trenching ground. As far as I can make out, the hon'ble member's complaint is really not against Government but against the municipality.

Maulvi ABUL QUASEM: The complaint is also against Government.

The Hon'ble Sir CHARU CHUNDER GHOSE: Be that as it may, proposals for the acquirement of land for a trenching ground in the present instance, or for a fresh trenching ground anywhere else, are at the present moment being examined by the Public Health Department of the Government, and I shall take steps to bring this discussion to the notice of the Hon'ble Minister in charge of the Local Self-Government Department. I have not the least doubt whatsoever that whatever has been said to-day in this Council will be taken note of and that proper consideration will be given and action taken. Further, if any action is possible under the Bengal Municipal Act by the Hon'ble Minister, I can assure the hon'ble the mover of this motion that we shall use our influence with him and see to it that prompt action is taken. In any event, our attitude, so far as this matter is concerned, is one of complete sympathy, and we shall try to see that some redress, at least, is made, if the facts are as what the hon'ble member has stated.

Sir, I oppose the motion and I trust that in view of the explanation given and of the attitude of Government in this matter, the mover will not press his motion to vote. I further hope that he will see his way to withdraw the motion.

Mr. NARENDRA KUMAR BASU: On a point of information, Sir. Might I inquire what is the distance between the *Idgah* and the trenching ground?

The Hon'ble Sir CHARU CHUNDER GHOSE: We do not know.

Maulvi ABUL QUASEM: Sir, in view of the assurance given by the Hon'ble Member, I beg leave of the House to withdraw the motion. I might, however, inform Mr. Basu that the distance is only about 200 yards.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Is it in order for the Hon'ble Member in charge of the Revenue Department to influence an Hon'ble Minister who is in charge of a transferred department? (Laughter.)

The motion was then, by leave of the House, withdrawn.

Maulvi ABDUL HAMID SHAH: I move that the demand of Rs. 1,44,000 under the head "5A—Charges of administration—General establishment—Land acquisition" be reduced by Rs. 100 (to draw the attention of the Government as to the desirability of amending section 76 of the Bengal Tenancy Act with a view to make provision for erecting prayer houses on the holding of the tenants).

He was speaking in Bengali in support of his motion when the Council adjourned for 15 minutes.

(After adjournment.)

Maulvi Abdul Hamid Shah concluded his Bengali speech of whic the following is a translation:—

Mr. President, if a man is to live, he must provide for his physica wants as much as for his spiritual needs. I, therefore, think that ther ought to be provisions for public worship for all classes—the landlord and the tenants, the rich and the poor, men of all communities. It i agreed on all hands that law aims at making all necessary provision for the conducting of his life in society. But it is to be regretfully recorded that before the amendment of the Bengal Tenancy Act of 1928 90 *per cent.* of the total of five and a half crores of population of Benga who form the tenantry or who own their holdings on payment of rent to *zemindars* and tenure-holders did not enjoy the elemantry rights o making *pucca* houses to live securely in or of even digging tanks on thei own lands for purposes of taking drinking water from; and they wer even deprived of the rights of the trees that they had planted. Evei though the above difficulties have been removed by the Amendment o 1928, yet it remains a fact that the people are still debarred from makin houses of worship, *i.e.*, temples, mosques. I have moved the presen motion with a view to drawing the attention of the Government to th need of amending the Tenancy Act in order to incorporate this very necessary right in the body of the law. There is not the slightes reflection on the administrative policy of the Government, neither i there the slightest tinge of communalism? I, therefore, believe that al members, whether officials or non-officials, can take an independent view of his own and use his free judgment and express his views on the resolution.

Sir, I have already said that the amended Bengal Tenancy Act of 1928, under section 76 has made all necessary provisions for physical existences of the body; what remains is the need of making provision for satisfaction and improvement of the soul or, in other words, the concession of the right to build houses of worship. The tenants have been deprived of this right on the plea that the land or holding is rendered unfit for purposes of tenancy and the value of such land diminishes with the building of such houses of worship. I have here to say this much, that if the tenancy depends on the existence of the tenant, if the landlord and the Government have admitted the need of conceding clauses (*a*) and (*f*) in sub-section 2, in section 76, then I believe the landlord class ought not to grudge a little bit of space in every village for the making of one or two houses of worship for purposes of satisfying the needs of the soul. I fear it may be difficult for many to make out the relevant sections from my Bengali speech, and I, therefore, read out here section 76 of the Bengal Tenancy Act as in English.

Section 76, sub-section 2 (*a*).—The construction of wells, tanks, water-channels and other works for the storage, supply or distribution

of water for the purposes of agriculture or for drinking or for the use of men and cattle employed in agriculture.

Explanation.—Such construction on agricultural land shall not be deemed to impair the value of the land or to render it unfit for the purposes of the tenancy."

Sub-section (f).—The erection of dwelling-house, whether of masonry bricks, stones or any other materials whatsoever, for the tenant and his family together with all necessary out-offices.

Sub-section (3).—But no work executed by the tenant of a holding shall be deemed to be an improvement for the purposes of this Act, if it substantially diminishes the value of his landlord's property.

Sir, it is difficult not to admit that land is not rendered unfit for tenancy and considered absolutely from the standpoint of agriculture, that the value of such land does not diminish by making such houses of worship on *jote* land and in the same way it is very hard not to look to the physical and spiritual needs of the agriculturists before a correct judgment is made of the advantages and disadvantages of tenancy. I do not admit the cogency of the argument that the value of the whole holding deteriorates by the making of religious houses. Because I think the tenant first considers the possibilities of his physical and spiritual well-being before he agrees to a price at the transfers of such *jote* land; he gives subsequent thoughts to the area and price of the land. Therefore, if we look to the very small area of land required for such houses of worship and to the rates of such rents, we shall not consider it too big a concession to tenants' need of worship in villages which contain hundred to hundred and fifty houses. That the landlord class would credit lakhs and lakhs of rupees to their rent account and would refuse to debit a little rent on account of such religious houses is a course of proceeding not supportable by a sense of justice and fair play. I, therefore, hope that the *zemindar* members of this Council will support my motion out of deference to their tenants' well-being. To tell the truth, the landlord class of Bengal irrespective of Hindu and Moslem communities, has supported this policy from time immemorial and that is what explains the numerous *debattar* and *brahmattar* grants of Moslem *zemindars* and *pirpal lakheraz* grants of Hindu landlords. Inquiries reveal the fact that the tenant has sought the formal permission of the landlord only in cases of *pucca* constructions of religious houses. In a few cases the tenant has paid a *salami* to the landlord; more often the religiously inclined landlord has remitted rents in such cases and even has rendered assistance in various forms to his tenants in such constructions. But in cases of *kacha* construction neither the tenant nor the landlord cared to seek or to concede any formal permission in cases of *kacha* construction. The tenant did not consider it necessary to seek remission of rent and the landlord also

was until very recently free from apprehensions of deterioration of land for purposes of tenancy on account of such *kacha* construction. The result has been that you find numberless *kacha* mosques throughout Bengal. To be plain, the right of making *kacha* mosques without the permission of the landlord has now the sanctity of custom.

Sir, I have discussed the matter of the motion from the standpoint of justice, equity and fairness. I shall now discuss the question from the economic standpoint. The foremost among the arguments against conceding a right to build religious houses is that by such permission the total value of *jotes* diminishes for purposes of tenancy and that this will enable the tenants to build numberless houses of worship and to diminish consequently agricultural area.

I have already given the reply to the first part of the argument. In reply to the latter part of the argument I say, I have intended this motion on religious houses for public worship and not for the worship of an individual person. Therefore, the fear of many religious houses is absolutely without foundation. Then the scriptural law of the Mussalmans provides that there should be reasonable distance between one house of worship and another, so that there is a fair attendance in such houses. It is only in very big and thickly populated villages that you find two or three mosques. Therefore, there is no good ground to fear shortage of cultivable lands on account of the building of religious houses. Then in this Bengal religious houses needed by the public have already been built. There is very little possibility of such needs rising in future. Moreover, concession of rights to make *pucca* houses and tanks by the amendment of 1928 have not led to any appreciable increase of *pucca* houses and tanks during the last six years and consequent reduction of agricultural area and, therefore, fears of reduction of agricultural area by the making of such religious houses is nothing but a bogey.

The second argument is that the value of the particular portion of the land on which a mosque will be built will decrease and consequently during transfer the landlord's transfer fee will also decrease. In answer to this, it can be said without hesitation that the value of a holding of a poor man, where there is not even a thatched cottage for dwelling, can by no means be equal to the same amount of land in a holding in which there is a *pucca* building for residence and a mosque for prayer. Now as there are provisions for charging the transfer fee on the consideration money of the holding, there cannot rise in this case any question of decrease of transfer fee. At least, for the recollection of the hon'ble members, I am citing the provisions in the Bengal Tenancy Amendment Act regarding the landlord's transfer fee in such a case. You should remember that the mosques which the Moslems build for the worship of the public are to be dedicated for religious purposes.

Section 26D, second proviso.—Provided also that the landlords' transfer fee shall not be payable in the case of:—

Sub-section III.—A dedication for religious or charitable purposes without any reservation of pecuniary benefit for any individual.

Now the third argument is about rent. The easiest answer to this is that the tenants are always ready to pay rents for the plot of land required for a mosque. But if the holding is sold in execution of a decree for arrears due in respect of rent, then I consider it preferable to follow the provisions laid down in sections 159 and 160 of the Bengal Tenancy Act. Some portions of the abovementioned section run as follows:—

Section 159 (1).—Where a tenure or holding is sold in execution of a decree for arrears due in respect thereof, the purchaser shall take subject to the interests defined in this chapter as "protected interests."

Section 160.—The following shall be deemed to be protected interests within the meaning of this chapter:—

Sub-section (c).—Any lease of land whereon dwelling houses, manufactories or other permanent buildings have been erected, or permanent gardens, plantations, tanks, canals, places of worship or burning or burying-grounds have been made.

Sir, as regards the rights of tenants in connection with the construction of mosques, it appears from the decision arrived at by the Hon'ble Calcutta High Court on the 4th December, 1933, and that which was published in the "Calcutta Weekly Notes," Volume 38, page 93, that it has been established that in any portion of a holding, a tenant will not be able to erect even a *kucha* mosque for public prayer.

In order to remove the consternation and feeling arising in the minds of the tenants in consequence thereof, I draw the attention of the Government by this motion towards the modification of the Bengal Tenancy Act.

Mr. PRESIDENT: (*Apropos* the reading by the member of an English quotation.) Well, Maulvi Sahib you will hereafter find it very difficult to convince me that you cannot speak English. You read it perfectly well. (Laughter.)

Khan Sahib Maulvi MOHAMMED BASIR UDDIN: I beg to support the amendment moved by Maulvi Abdul Hamid Shah. "It is desirable, and it is known to all that Mussalmans of Bengal especially in Northern and Eastern Bengal erect mosques over their holdings. It is incumbent upon the Mussalmans to say their prayers in congregation, and for this purpose it is absolutely necessary that they should have mosques over their holdings. I should, therefore, ask that a provision be made in the Bengal Tenancy Act allowing prayer houses to be constructed over a *raiyati* holding. Many Hindus also erect

temples over *raiyati* holdings and to respect the religious feelings of both the communities it is essentially necessary that the holders of occupancy holdings should be allowed to erect mosques and temples. I should, therefore, request the Government to see that a provision be made in the Bengal Tenancy Act allowing the poor tenant, the tiller of the soil, the producer of the wealth of the country, to have mosques over their holdings to perform their daily prayers and religious duties.

Mr. SARAT KUMAR ROY: Sir, I rise to oppose the motion, as I cannot lend my support to the proposed changes of the Bengal Tenancy Act. I submit, Sir, the erection of prayer houses on the holdings of tenants having no permanent right to the soil is fraught with many evils.

In the first place, the enjoyment of such rights by an occupancy *raiyat* is opposed to the principles of the land laws of Bengal, governing his status. And it will also be interfering seriously with the existing rights and privileges of landlords.

In the Amendment of 1928, already occupancy *raiyats* have got important privileges in the matter of erection of dwelling houses on their holdings—much to the inconvenience and probable loss of the superior landlords.

The erection of mosques or prayer houses cannot certainly be deemed to be improvements contemplated in section 76 of the Bengal Tenancy Act. It will also not only interfere with the cultivation of the said holdings upon which such structures will be erected in various ways, but will also thus depreciate the value of them.

And then again it might create communal disputes affecting the maintenance of law and order.

Sir, for the reasons I have just now discussed, I think it is abundantly clear that it is highly undesirable to attempt any such amendment of the Bengal Tenancy Act.

Sir, I may be permitted to draw the attention of the House that not long ago a Bill to amend the Bengal Tenancy Act in such a manner was rejected by the House.

Maulvi SYED MAJID BAKSH: If anything was needed to convince some of us who were hesitating about the measure to be adopted in respect of this amendment, I think the speech of the last speaker has finally confirmed us in our belief that some such thing was absolutely necessary. Often and often we find with reason and without reason, in season and out of season, the *zemindar* representative of this Council standing up and holding his rights with the tenacity worthy of a better cause. I do not know whether my friend the *zemindar* professes any religion. If he is a Hindu, I would point out to him the saying of Bhagabat Gita:

যে যথা মাং প্রপদ্যন্তে তাং স্তথৈব ভজাম্যহং

I do not know whether land is the god which he worships; if he does so, he would have before him the spiritual relief which a man must seek in the careworn world from the maladies that trouble him. My *zemindar* friend is overmuch perturbed about the difficulties which would be created by such men. I would put a question to him. If without touching his pound of flesh, we can have an amendment of that law, what objection can he possibly have? All that he wants out of the land is his money. If we can provide for an amendment of the Bengal Tenancy Act in such a way—a lawyer can be entrusted to do the work—in such a way that compensation may be made to the *zemindar* on account of the building of such mosque, I do not see that any harm will be done to him. I think no reasonable man ought to object to this. It is time to remind our *zemindars* that the old days of feudalism are gone. They must submit, if they want to live along with others in this country, and conform to new idea. Much water has flowed under the bridge since the Bengal Tenancy Act of 1885, where provisions were made where the rights of tenants were just beginning to be felt. Provisions laid down in that enactment were more or less hazy considering what could have been observed at this distant age, and since then many decisions and enactments have carried the law much forward. I think it will not do a great harm if further amendment is made providing for the want which the tenant naturally feels as regards his prayer, allowing at the same time for reasonable compensation to the *zemandar* As my friend the mover of this amendment has pointed out, the matter was not felt so long, but for the decision of the High Court, to which my friend has referred, that decision was not under sections 159 and 160 because the land in this case was not sold in execution of a decree. But here the zemindar being a much shrewder man than the poor tenant sued the tenant not on any other ground by the hazy and flimsy ground and the all-embracing ground enunciated in the Bengal Tenancy Act, namely, if a tenant renders his land unfit for the purposes of the tenancy, liable to be ejected from the tenancy. Now the building of a mosque has been held to render the land unfit for the purpose of a tenancy. In the first place, what is the purpose of a tenancy? To an agricultural tenant it is agriculture. In a homestead land it is building of houses. Now, I would refer with due reference to the High Court about their decision and I submit that the Judges in that particular case exhibited an ignorance of law which is colossal. It was a homestead land on which along with other thatched houses another thatched house was built for a mosque. I fail to understand how this renders the tenancy unfit. The purpose of the tenancy in this case is habitation. I cannot comprehend how it was rendered unfit. Then, again, as regards the purpose of the tenancy, I will come to its legal aspect. The purposes of the tenancy cannot be otherwise than the purposes in the legislation itself. In that we find that there are provisions that prayer houses cannot be rendered *khas* even after a rent

sale. If that is so, the legislature must have conceived how to protect prayer houses. Prayer houses and other permanent works should be made an exception. If that is the conception of law itself, then how on earth it means that the building of a prayer house goes direct to the root of the purpose of the tenancy and against the tenancy itself? Here we find that according to this conception of legislation the purpose of the tenancy is really to include among other things a prayer house. If that is the very root of the conception of the whole law, how can it be that this is against the purpose of the tenancy? It is absurd. If you refer to the case that my friend has cited you will find that not even one-thirtieth portion of the land was taken, how can that affect the agricultural holding? By taking away one-thirtieth portion of the land, the whole thing here is rendered unfit! It really passes my comprehension. The Judges thought of creating a stir and sensation. That is why they decided in such a way. My *zemindar* friends want money. Well, in that case let us have the amendment in such a way, and I would leave it to the drafting department to fix it in any way that if the *zemindar* wants money he will be entitled to recover the same by the help of the law court. It also affects the Hindus. I mean the poor Hindus and not the wealthy and educated ones. They have got the fault of praying to God. The provision of his having to give his pound of flesh will not cure him of this fault. The poor Muhammadans have got the habit of saying their congregational prayers once a week and no amount of preaching will cure them of that habit. Since it is the custom of a particular land to do a certain thing from time immemorial that custom assumes the form of a law. I appeal to my friend who has propounded many legal theories and has decided many cases to kindly consider whether I am right or wrong. This cannot be held to be in any respect consistent. Then so far as the present ruling is concerned, it has created a great deal of stir. That in certain cases custom assumes the form of a legal right, and it is an unwritten law which it is the right of everybody to enjoy. There is one point raised by the opponent that it will reduce the value of land. It will be contended that the value of the land will be reduced in this sense that land belonging to a Moslem tenant will not be purchased by any Hindu tenant. Now let us come to practice. Generally, we find that whole villages consist of Muhammadans. There are also whole villages inhabited by Hindus. The Muhammadans will require mosques and the Hindus temples. Land in the midst of a homogenous population will never lose its value. If a Muhammadan takes a mosque, he will not consider it deleterious and so a Hindu a temple. Taking the facts as they are, we find there is no such possibility of deteriorating the value of land as considered by my friend. It may be thought there would be any number of mosques within the radius of a very short distance. It is laid down in Muhammadan law that as far as the sound of call to prayer from a mosque is heard, there should not be another

mosque. Therefore, there is no chance of having too many mosques in a particular place. Another objection that might be raised is that if the Muhammadans require a mosque, the Hindus would require a temple and there would be trouble. I may say that these are mere hypothetical propositions. Even if you allow this, I may repeat what I said at some other time that there is a mosque near the Medical College which is also very near a temple, and the Hindus and Moslems are not fighting on that account. If this ruling exists, there will be communal trouble all over Bengal, and as soon as you go to execute a decree to demolish a mosque, I shudder to think what will happen. You will find many Muhammadans would lay down their lives to save their mosque and perhaps you will have to kill hundreds of Hindus—not the rich men, the poor Hindus—who will lay down their lives for the sake of their religious scruples, and Government will be inviting trouble on its own head. They are already preoccupied with many things, and I do not want that they should create more trouble for themselves. I therefore submit, Sir, that Government of its own accord ought to come forward and give us such a legislation as will meet all cases. I myself brought up a similar legislation and it was refused of course by the House, and since it was refused, this trouble has arisen. If that had been accepted by the Treasury Benches, this trouble would never have arisen. If my friend wants that communal trouble is to be averted, it would be better for him to accede to the request of the tenants. My friend was suggesting—take some land from the *zemindar* and then build a mosque on it. Well and good.

(The member having reached the time-limit, resumed his seat.)

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, before I refer to the motion of Maulvi Abdul Hamid Shah, I would in all humility deprecate the language used by the last speaker as regards the Judges who decided the case of Srish Chandra Ganguli *versus* H. Ali. You gain nothing by attributing colossal ignorance to the Judges. Judges there are and there will always be, and so long as the High Court exists, I think it is the duty of every citizen in the province in which the High Court is situated to speak in language of respect to the High Court. You may not agree with the decision of the High Court. However, having said that and coming straight to the question raised, I desire to point out that this matter was the subject of a litigation between two parties Srish Chandra Ganguli *versus* H. Ali. The precise question now raised was raised in the High Court. Before the case came to High Court, it was decided by the court below that under the existing circumstances and under the existing law the use of an agricultural holding for erection of a prayer house for public worship could not be allowed. That may have been right or wrong. But before the High Court's decision was out, the last speaker introduced a Bill in this House for the determination of the question in the

manner indicated by him. That Bill, I am sorry to say, did not meet with much support and was finally rejected without a division. Then the High Court's decision was pronounced, and as the last speaker will doubtless remember, it formed the subject of an interpellation in this House on the 19th February, 1934. I answered the question then put me, and since then I am informed Maulvi Tamizuddin Khan has given notice of his intention of introducing another Bill. As hon'ble members doubtless know, Bills cannot be introduced without the previous sanction of the Governor General. In this instance the Governor General's sanction has been applied for and is being awaited. As soon as this sanction is received, Maulvi Tamizuddin Khan will be in a position to introduce his Bill and then the whole question will be thrashed out and all parties will have an opportunity of discussing the matter fully and satisfactorily, including the hon'ble member who was referred to as a landlord member of this Council. I think, Sir, in these circumstances no useful purpose will be served by proceeding with the motion, but I would urge the hon'ble member to be a little patient. As soon as sanction is received, there will be no difficulty whatsoever in introducing the Bill of Maulvi Tamizuddin Khan. As the hon'ble members are doubtless aware, there is that classic phrase—it is a long cry from Calcutta to Delhi and takes time.

Mr. SHANTI SHEKHARESWAR RAY: But what is the attitude of Government in this matter?

The Hon'ble Sir CHARU CHUNDER GHOSE: The attitude of the Government will be made known as soon as the Bill is introduced. In these circumstances, Sir, I suggest that no useful purpose will be served by proceeding with the motion, and I would request the member accordingly to withdraw it.

Maulvi Abdul Hamid Shah's motion was then, by leave of the House, withdrawn.

Mr. PRESIDENT: I will have one discussion on amendments Nos. 7, 14, 20 and 75, as they all deal with settlement cases in Jessore.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 1,07,400 under the head "5A.—Charges of administration—Certificate establishment—Pay of officers" be reduced by Rs. 100 (issue of certificate processes in the famine-stricken area of Jessore).

Sir, as a result of an interpellation which I made in this House on this subject and on the subject of a famine in Jessore, I was told by the predecessor of the present Hon'ble Member for Revenue that there was no famine in Jessore, but there was only acute distress. As a layman, Sir, I could not find out the subtle distinction between an acute distress and a famine and the boundary line between them, and on a subsequent interpellation to the present Revenue Member by another member I put

a question as to what was the exact spot where acute distress was to be located. I do not know whether acute distress and famine are like asymptotes and hyperbola, which approach each other but never meet. I do not know when acute distress assumes a proportion when it can be called a famine or when the famine lessens down to a degree where it is called acute distress. But I have a lurking suspicion in my mind that because there is a certain enactment, a law, which lays down a certain obligation upon Government that as soon as famine breaks out in a particular place Government must take some particular measure and it is incumbent upon them to take those particular measures, that I think it is the fear of landing themselves into humanitarian activities that debars or deters Government from proclaiming a famine. They come up to acute distress but stop short at that. Here, Sir, you will find that relief work has been undertaken by various associations beginning from the Congress down to the committee presided over by the District Magistrate. I am a member of a committee of which the District Magistrate is the president, which distributes leaflets. My friend Mr. Woodhead might perhaps know better. I am not at all initiated into the intricacies of Government, and I confess ignorance of that. But if starvation can be a result of famine, if death from starvation can be a result of famine, then I assert and reassert that a famine has actually broken out in Jessore. I understand that the Publicity Officer of Government has declined to accept the version that there has been any death due to famine. Yes, Sir, I know that such should be the reply from the Hon'ble Member. But in order to fortify myself against that, I have brought statements with thumb impressions of persons related to people who have actually died of famine and I hold the whole record in my hands. I am ready to show to the Hon'ble Member these thumb impressions and ask him to tell me either that they are false, or accept version that there has been famine. Fortified with these thumb impressions if the Hon'ble Member so desires, I shall be able to help them in every way to find out whether there has been a famine there or not. All I am concerned with is that there should be some relief, though with the outward profession of acute distress but with the inward conciousness of a famine. If relief was undertaken in this spirit, I shall have no quarrel with Government. You will find that the Hon'ble Member's reply to my question admitted that there was only acute distress in the Magura and Narail subdivisions. But he denied the existence of acute distress in Jhenida. I may point out, Sir, that in Jhenida and in a certain part of Jhenida which is contiguous to the Magura and Narail subdivisions, the distress is extremely acute, and I can refer the Hon'ble Member, though I do not know whether I am within my rights in so referring, I can refer him to an article by one of the secretaries of the relief committee which appeared in yesterday's *Amrita Bazar Patrika*, where such a vivid description of the distress that is going on in the Jhenidah subdivision is given, that

any plain man, unsophisticated with the intricacies of law and legal interpretations, will be able to realise that there is a famine in Jhenida. I was told that the issue of certificates has been very scarce though not actually prohibited in the Narail and Magura subdivisions and that no such steps have been taken so far as Jhenida is concerned. I submit that if he believes the statement that there is acute distress in Jhenida as well, will he be kind enough to extend the same clemency that he has already extended to Narail and Magura to that portion of Jhenida? In all humility I would request him to do his best to prevent the people of Jhenida from suffering this dire distress there. It is almost impossible to give a description of the distress, and unless one sees it locally, it is impossible for anyone to realise the immensity and the gravity of the distress that is prevailing there. You know the origin of it. There was a heavy downpur, there was inundation, there was flooding and cattle and crops were washed away and as the river was very fierce in respect of Magura and Narail, there is no reason to suppose that it was at all kind to this portion of Jhenida and that it stands to reason to expect that there is acute distress in Jhenida, Magura and Narail. Therefore, I submit to you Sir, and through you to the Hon'ble Member, that he will not only undertake relief work in right earnest, but give more money and more gratuitous relief and agricultural relief wherever necessary. It is, Sir, the month of *Chaitra*. (Cries of "No, no; it is only the month of Falgoon".) It would perhaps be quite out of a place for me here to tell my friend a bit of astronomy. My friends will find that the position is not as related in the almanac. It depends upon the equinox by which 9th of *Falgoon* is the 1st of *Chaitra*, the sun having receded 21 days since the days the almanac was prepared. My friends will find that according to the astronomical observations I am correct, but according to the almanac they are correct.

I put a question to the Hon'ble Member and he replied to me that whenever local authorities will say that seeds are necessary, he will give a loan of seeds. But what I say is that let there be action from above and not from below. Let the Hon'ble Member himself give directions to the local authorities that they themselves should go into the question, inquire where seed is necessary, and grant the seeds, because seed is absolutely necessary to save them from starvation for another year. If you give them money, they will spend it; but if you give them seeds, they will sow them. So there is a great deal of difference between giving them money and giving them seeds. I request the Hon'ble Member to direct his subordinate officers to see that loan of seeds is given and not simply money. I also request, in terms of my motion, that the issue of certificates should be stopped at once. There has been difficulty in the case of Jessore. Not only have the Government issued certificates for their own dues but a large number of estates in Jessore, big and huge *zemindari* estates, have been taken

up by the Court of Wards and in order to save the estates from debts which encumber them and give allowance to the *zemindar* from whom the estates have been taken, they have got to realise money even by the issue of certificates. Had it been only Government dues, Government would not have been so much hard pressed for money, but the particular kind of dues to which I am referring, *viz.*, *zemindari* dues, are telling more harshly upon the people concerned than the Government dues in Narail and Magura for the present, so that I submit that until the next crop is coming, the certificate procedure should be stopped altogether in Jessore. With these words I commend my motion to the acceptance of the House.

Maulvi SYED NAUSHER ALI: Sir, I support the motion moved by my friend Maulvi Syed Majid Baksh. Coming from the district of Jessore, Sir, I know the conditions prevailing there. I am not much disturbed however about calling it an acute distress of famine. But it is undeniable that there is acute distress prevailing, as my friend has said, in Magura and Narail. He tried to establish that there has been acute distress also in Jhenida. Government, I understand, has admitted that there has been acute distress prevailing in the two subdivisions, Magura and Narail, and I do not know the attitude of Government with regard to the distress prevailing in Jhenida. I may say for the information of this House that recently I got a requisition from the Subdivisional Officer of Jhenida requesting the District Board of Jessore to start relief works in the subdivision. I do not know if any further testimony is necessary to show and prove to Government that there is prevalent acute distress in the subdivision of Jhenida. It being thus plain that acute distress is prevalent in at least three out of five subdivisions of Jessore, I think it is incumbent on Government to come to the rescue of the people. I do not know the attitude of Government so far as the people stricken by this distress is concerned, but I am sure if relief be not forthcoming in proper measure and in time, disastrous consequences will follow. I myself have visited some of these localities, and people in large numbers approached me requesting to start relief works even at a very low rate, because they cannot be expected to do skilled labour. Sir, only recently I got a request from the Subdivisional Officer of Narail, asking me to start relief work in various places in the subdivision in addition to the places where we have already started relief work. There is no money available from the district funds for the purpose, and I appeal to the Hon'ble Member in charge to consider this matter very carefully. These are the requisitions coming not from the people, but these are requisitions coming from Government officials themselves. We are helpless. We are trying our best to do whatever lies in our power without sufficient funds at our disposal. It has become almost impossible for us to render any help to these people who are suffering.

Then there is the other thing. It is not this famine alone that is troubling the people. On the top of this there is cattle disease prevalent, with the result that the cultivators have practically lost all their cattle. Recently we had to requisition officers from the Veterinary Department for the treatment of the cattle. In some parts it is not practically the disease which is the cause of destruction of the cattle, but the want of fodder that is telling upon the health of the cattle, and that is the principal reason for the carrying away of so many cattle and many villages have been without cattle. I do not want to take up much time of the Council, but I want only to emphasise that if this state of things continue, there will be untold disaster, and I only pray that the Government will takeup the matter in right earnest. Famine or no famine, I only want the Government to consider whether it is proper under the circumstances to issue certificates for the realisation of rents due to the landlords, and these arguments apply equally to the estates under the Court of Wards.

With these words I support the motion moved by my friend Maulvi Syed Majid Baksh.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Mr. President, Sir, I have every sympathy with the motion that has just been moved by my friend Maulvi Syed Majid Baksh, but I do not agree with him when he says that the certificate procedure should be stopped altogether for distress. Sir, I have no personal knowledge of the conditions in Jessore, but from the newspapers and from the speeches I have heard just now I can visualise and gather that there is an acute distress. It is the duty of Government to see that relief work be given at once. The relief work can be done in two ways—first is to stop the certificate procedure altogether and the second is to issue certificates cautiously. I think, to my mind, the second procedure is the wisest course to follow. The stopping of certificate procedure may relieve these people temporarily, but they will be put to hardship later on when full money will be demanded. On the other hand, if the certificate be issued only sparingly and with caution, the people who are really in distress will get the relief by paying the rent to the extent they are able to meet, and it will be a great relief to the persons for whom the certificate is issued. The certificate should be issued at the convenience of both parties. It should not be issued indiscriminately without paying careful consideration to the condition of the tenants.

As regards the *zemindars*, I do not know how many of them have the privilege to realise rent by certificate procedure. You must also realise that the *zemindars* have to meet the revenue and they have to pay regularly. For that reason I think it is quite reasonable that rent should be realised by certificate procedure to the extent the tenants

are able to pay so as to meet the revenue.. This can be done by instalments.

With these words I beg to support the motion with the necessary qualifications I have outlined and the same remarks should apply to the estates under the Court of Wards.

Rai Bahadur KAMINI KUMAR DAS: Mr. President, Sir, I rise to support the motion moved by my hon'ble friend. I admit that the certificate procedure is a speedy remedy which is essential for the realisation of Government dues. It is essential that certificates should be issued for the realisation of demands under the Public Demands Recovery Act and other Acts, but at the same time it is very essential that it should be sparingly issued during the time of distress and hardship. It is laid down by the Hon'ble Member, Board of Revenue, that experienced officers available in a district should be in charge of the Certificate Department, but our experience shows that it is honoured more in the breach than in the observance. Very often officers are entrusted with the duties of this department who are still of opinion that promotion goes with conviction. Therefore, agreeing with my hon'ble friend Raja Bahadur of Nashipur, I think that the certificate procedure should be adopted sparingly, and it should be in the hands of experienced officers. My hon'ble friend has observed that there should be cessation of certificate for the present, and I may only add that there should be cessation of certificates where persons are suffering as in Jessore and Chittagong. We, in Chittagong, have not only famine and distress, but we have another difficulty in addition, and that is the collective fine. The first we pay from what we have hoarded, though we are half-famished and half-starved; the second amount we pay by pledging the ornaments of our wives and children; the third amount we pay with the help of the Hon'ble Minister by taking loans from the urban bank. Therefore, my prayer is that the certificate procedure should be sparingly used. My other submission is that it should be in the hands of officers who understand their duties. I can give instances where its use led to trouble. There was a fine of Rs. 2 and afterwards it increased to Rs. 15. The widowed mother might have seen the peon who went to serve the process and she approached the Circle Officer for redress. The officer replied with the sweet word "No." Therefore, I submit, it should be left to the option of Government that the certificate procedure should be sparingly used and it should be in the hands of experienced officers. With these few words I beg to commend the motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: Sir, I rise to support the motion moved by my friend Maulvi Syed Majid Baksh. After the firsthand information we have had from the Chairman of the District Board of Jessore, Maulvi Nausher Ali, I do not think there is any person in this House who will have any hesitation in supporting this motion.

* * *

Speaking, as I do, after the inhabitants and residents of Jessore and as an inhabitant of Jessore myself, I feel strengthened in the hope that the Government will lose no time in accepting the recommendation made in this motion especially when, by God's grace, the department is now in the hands of another inhabitant of Jessore. Sir, I am quite sure that it is an accident no doubt, but an accident of good omen for the poor stricken district that the circumstances should be so. Sir, so far as I have been able to gather from the speech of my friend the Raja Bahadur of Nashipur I understand that he is very anxious that the certificate procedure should be suspended and that the revenue of the landlords should be made payable to them by the tenants by the certificate procedure, and after that the certificate procedure may be put a stop to. I need not stop here to characterise a declaration of that description which really makes me sad to think that at this time of the year even a landlord member of the Council should get up and make a suggestion of that description. I am extremely sad that the Raja Bahadur should make a callous suggestion of that sort. I need not waste the time of the Council over this resolution, and I hope that the resolution will be accepted by the Government.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I rise in support of the motion just moved. There cannot be any doubt that famine conditions prevail in some parts of the district of Jessore. It is high time for Government to adopt relief measures which are urgently needed. We have just heard from the Chairman of the Jessore District Board that the funds of the Board can hardly cope with the enormity of the distress which prevails there. It is the primary duty of Government to save the people from starvation. The people are on the verge of starvation and relief measures should at once be taken up by the Government.

The Hon'ble Sir CHARU CHUNDER GHOSE: Sir, there is no difference of opinion between the members of the House who have spoken and Government as regards the prevalence of actual distress in the district of Jessore. So far as the subdivision of Jhenida is concerned, I am informed that in some parts of it the distress is very acute. There is no difference of opinion between the Government and the members who have taken part in this debate about this. The word "famine" has got a technical meaning under the Famine Code and so far as the Code goes, it can be said with a certain amount of certainty that there is no actual famine in Jessore. But be that as it may, that is more or less academic. There is some distress and Government has sanctioned agricultural loan to the extent of Rs. 49,500, and they have also sanctioned a gratuitous relief in the affected area. The Managers of the Court of Wards Estates have been asked not to file any certificate proceedings in the affected areas, and certificate

officers have been directed not to execute warrants and attachments against indigent persons, and tenants agreeing to pay rents of one year at least have been granted remissions of interest. Instructions to that effect have been issued. Hon'ble members must also be aware that a certificate is filed only in respect of the amount which has become due and which is going to be barred at the option of the landlord. If certificate proceedings are stopped wholesale, then it is the tenants who will suffer in the long run, because landlords will not stay their cases, but will institute suits not only for the amount which is going to be barred but for the entire amount of arrears, and that amount will include the amount due for four years. In these circumstances, Government have thought it right to issue general instructions to certificate officers to be very careful in the execution of warrants and attachments and to proceed in a careful manner, having regard to the situation with which they are confronted. The case will be kept under observation. As a matter of fact, the entire situation is being observed daily by an experienced officer, and the matter will be under the close observation of the department and everything that is possible to alleviate the distress will be done—as a matter of fact is being done and will be done. That is all I need say on this motion, and having regard to the explanation which I have given, I trust it will not be necessary to proceed to a division. We are doing our very best and if I may utter a single word striking a personal note, the matter has been constantly before me ever since I assumed charge of my present office.

Maulvi SYED MAJID BAKSH: On a point of information, Sir. May I know whether this consideration applies to Jhenida as well?

The Hon'ble Sir CHARU CHUNDER GHOSE: To any affected area where there is distress.

Maulvi Syed Majid Baksh's motion was then, by leave of the House, withdrawn.

Mr. PRESIDENT: We can have one discussion on motions Nos. 9, 10, 18 and 50. All these deal with the certificate establishment.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 1,10,000 under the head "5A—Land revenue—Charges of administration—Certificate establishment" be refused.

Sir, the department is maintained for the recovery of demands under the Public Recovery of Demands Act. Now the main object of this is perhaps, as far as I can see, not a punitive measure, but it is a measure which, if the judgment-debtors do not pay their dues negligently, will have to be adopted. But here we find that in the administration of this Public Recovery of Demands Act the principle is not strictly adhered to——

Mr. PRESIDENT: Have you moved both your motions Nos. 9 and 18?

Kazi EMDADUL HOQUE: I also beg to move that the demand of Rs. 1,10,000 under the head "5A—Land revenue—Charges of administration—Certificate establishment" be reduced by Re. 1.

My point is, Sir, that if the Government admits that there is acute distress in the country, is this the proper time for realising the decretal amounts by certificate procedure? The tenants are not in a position to pay decretal amounts. Why? Because the outcome of their produce is not sufficient even to meet the cultivation cost, not to speak of paying anything towards their dues to their creditors. Now the certificate procedure is also instituted with great hardship on the poor people in the way in which it is being administered. I find that in Kurigram subdivision certificates are being issued at the instance of the Cossimbazar Raj Ward Estate. Here we find that on the 15th of February, 1934, there were too many sales from as many as 16 certificate cases. I may give the number here. In 1931-32—Nos. 489, 472, 490, 468, 355, 465, 320, 585, 611, 38, 494 and 910; and in 1932-33—Nos. 373, 152, 387 and 124. In each of these cases the sale proclamation was issued and the value of the property to be sold was stated there. But you will be surprised to hear that each of these holdings was sold for 3 pies. In the case No. 489 it is set out in the *istahar* that the value of the property is Rs. 310 and that was the value given by the person in whose interest the property was sold, but it was sold for 3 pies. In each case where the value of the property was Rs. 25 and where it exceeded even Rs. 400, it was sold for 3 pies. In all these cases the total valuation was Rs. 1,860, but all of them were sold for only annas 4. Just fancy the thing! I do not see any reason why each of the properties was not sold according to the value set out in the sale *istahar* and why was it sold to the certificate-holder for such a paltry sum. The certificate-holder purchased all the properties, the total value of which was Rs. 1,860, at only 4 annas. In what a peculiar position the judgment-debtors have been placed! They are not in a position to have their properties back as they passed out from their hands, but at the same time their debts will be hanging like halters round their necks. Why did the certificate-holders and for the matter of that the Certificate Officer deceive the bidders? Several bidders would have come, but as they found in the sale proclamations that the prices set out there were Rs. 310, Rs. 360, etc., they naturally thought that the prices were too much for them to bid and, therefore, they did not turn up at the sale centre. Had it been known that the property would be had cheap, many purchasers would have come. Now just fancy the thing that for 3 pies a man lost his property worth Rs. 300 or so. It is a great hardship and this is the

way in which the administration of the Public Recovery of the Demands Act is being carried on generally. So I have moved these amendments simply to see that Government may take such measures that this sort of thing may not continue in future.

Mr. R. MAITI: Sir, I beg to move that the demand of Rs. 1,10,000 under the head "5A—Charges of administration—Certificate establishment" be refused.

Sir, the object of my moving this motion is to draw the attention of the Government to the procedure adopted by the Certificate Officers in realisation of the dues under the Public Demands Recovery Act. Sir, every one of us knows that the provisions of this Act are very oppressive in their nature and operate very harshly on the people, especially at a time when all of them have been suffering a great deal from the acute economic distress prevailing all round. Sir, it is admitted on all hands that the prices of the main agricultural products of this country, *viz.*, jute and rice, have gone down to a very low level and as such, the miseries and distress of the people know no bounds. But, Sir, in spite of such condition prevailing in the country, Government have not cared to feel for the people at all. Their engine of oppression is working at the same rate as it used to do in the days when the condition of the country was somewhat prosperous. Sir, they have not lessened their activities in realising their dues from the people by the oppressive operation of the provisions of the Public Demands Recovery Act. All the rigours of the law are still there and the oppression thus committed has brought many families to the verge of ruin. Unless Government comes to their rescue, many people will soon cease to exist on the face of the earth. Sir, it is the duty of every State to protect the people from dire distress, but it is most astonishing that our Government have not yet thought fit to take any step in this direction.

Sir, there is another aspect of the situation to which I would like the Government to pay their serious attention. This is in respect of a set of co-share judgment-debtors under a certificate issued. Sir, though I know that all the judgment-debtors are jointly and severally liable for the entire demand, still I maintain that it is a great hardship imposed if one of them is made to pay the whole amount without making any attempt for realising the dues from others according to their respective shares. It stands to no reason that one alone would be made liable for the entire demand when there are actually several others who are also to pay. There are cases even where a Government servant happens to be one of the judgment-debtors; his pay is attached for the entire dues, while others are not touched at all, though they are in a position to pay their shares. Poor clerks are thus being harassed every year in this way.

But, Sir, I know of a personal case of mine in which a body warrant was issued against me, after I had paid my own share to the extent of about Rs. 300. Sir, no attempt was at all made for realising the remaining dues from other co-sharers who were also well-off in circumstances before the aforesaid body warrant was issued against me. Even if they wanted to proceed against me alone for after I have paid my own share, they did not consider it necessary to issue the distress warrant in the first instance. This is, Sir, nothing but a *zoolum* on the part of the Certificate Officers. This conduct on the part of the Government servant leads me to think that they had to indulge in this sort of abnormal procedure out of some motive evidently with a view to harass me in all possible ways. I know, Sir, what the Hon'ble Member will say. His reply would probably be that the law on the point does not prevent the officers from taking such steps. This is a sort of law none of us can support. But I submit, Sir, it ought to be the duty of the Government in the circumstances to amend the law on the point. So long as this is not done, the Government ought to issue a circular to the officers concerned directing them to exempt those who have paid their own shares of the dues from the operations of the present law and to proceed against those alone who have not paid up their shares. This is a very reasonable proposal to which, I think, the Government would have no objection.

Again, Sir, as I have already said before, the Government have not been slow in the rigorous application of this Act for the realisation of their dues, though the people have been hard hit by the prevailing economic distress in the country. I would appeal to the Government for issuing another circular directing the authorities concerned not to realise the dues from the people by certificate procedure till better times prevail in the country.

With these words, I commend my motion to the acceptance of the House.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, it is not possible to direct the abolition of the entire certificate department. The hon'ble member who has started the discussion moved it in 1932 and also in 1933 and on each occasion the facts were explained by the then Hon'ble Member in charge of Land Revenue. On the last occasion the Hon'ble Member in charge stated that if any definite case were brought to the notice of Government, Government as well as the Board of Revenue would take up the matter and inquire into all the attendant circumstances thoroughly. Since then I have made inquiries and I find that no such case has been brought to the notice of Government. The certificate establishment is maintained not only for the recovery of revenue but for the recovery of all manner of public demands under the Public Demands Recovery Act. In a few instances, landlords have been given the privilege of realising their rents by the

use of the certificate procedure. District boards, court of wards and *khas mahal* estates have been given the privilege of realising their dues by the use of certificate procedure. If the certificate establishment is abolished, the whole machinery will be thrown out of gear. So I am definitely against the total abolition of the certificate establishment, and I observe that it is not suggested as to what should be put in its place. As regards the collection of dues under the certificate procedure, undue stringency in the collection of dues is discouraged and is not made out in actual practice. The Board has been instructed to issue orders that undue rigour is not to be observed in the issue of certificates, and every effort is being made and will be made to soften the rigours of the law in the matter of the certificate procedure. Only landlords who have kept up the records-of-rights up to date and the tenants' registers, they have been granted the privilege of issuing certificates. There are rules on the subject, and it is only when strict compliance has been observed with those rules that this privilege has been granted. It is not possible to discriminate between one *zemindar* and another, but where the rules have been observed by the *zemindar* and where the tenants' registers have been kept up, it is only there that the privilege has been allowed. In the case of these landlords prompt granting of rent receipts is absolutely essential. I may mention that the realisation of *abwabs* is strictly prohibited. The conrol of Government in respect of proceedings under the certificate procedure remains intact. If there is any irregularity or if there is anything in the nature of bribery and corruption and if this is brought to the notice of Government in the proper manner, Government will at once inquire into the matter. As regards what has been mentioned by Mr. Maiti regarding the realisation of dues under the certificate procedure against co-sharers, the remedy lies in the hands of the co-sharers. So long as there is joint and several liability, the procedure instanced by the hon'ble member occurs all over the world. If there are four co-sharers and one co-sharer is blessed with the sufficiency of the world's goods, naturally the Certificate Officer like any other creditor who has got to realise his dues goes to him first and tries to realise the entire amount from him. As I have said, the remedy lies in the hands of the co-sharers. If they succeed in getting separate accounts opened, there is no chance of the entire amount under the certificate procedure being realised from one particular co-sharer. I commend to the co-sharers the advisability of having separate accounts opened. (A VOICE: "What about those cases who cannot pay?)" As a matter of fact, the question asked carries its own answer, but if any answer is required, I would say that there are provisions in the Public Demands Recovery Act under which cases like this can be brought to the notice of the authorities and relief obtained. I have known of such instances and I have known also how relief has been obtained and is obtained.

The three motions were then put and lost.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,10,000 under the head "5A—Charges of administration—Certificate establishment" be reduced by Rs. 100 (undesirability of a too free investment of *zemindars* with powers of certificate).

My object here is to draw the attention of Government to the undesirability of a too free investment of *zemindars* with powers of certificate. Under the new Bengal Tenancy Act if a landlord applies for the application of the certificate procedure in respect of realisation of rents through the Collector in a district where the records-of-rights have been prepared, then the Government has to allow that application on certain conditions. It is the misuse that is being made of this section to which I want to draw the attention of the Hon'ble Member in charge. I must say here that it is never my intention that a *zemindar* should not get his proper dues. *Zemindars* in these days are surely in difficult circumstances and if conditions do not improve, many of the existing *zemindaries* are sure to change hands within a short time. The present generation of *zemindars* will in that case hardly exist. Therefore, I have every sympathy with the *zemindars* in their difficulties. I am against the *zemindari* system continuing in this country, but so long as that system exists, the *zemindars* must be given their proper dues and the certificate procedure may be applied in some cases, so that they may get their dues in a more summary way. But if you look at the condition of tenants, it will be plain that most of them are altogether unable to pay their ordinary dues under the present circumstances. The whole situation is a complicated one and I think the position of Government is not very easy. I quite realise that. But is it proper that Government should encourage an unrestricted application of the procedure which is bound to bring distress on the tenants? In the province of Madras only about two months ago, I saw in the newspapers that the Government remitted the rents of the tenants to a large extent. Other Governments have also followed suit excepting our Government, so far as this matter is concerned. So far as *khas mahal* tenants are concerned, our Government have thought fit to increase the rents even under the present circumstances. However, that is not the subject matter of the present motion. Again, *zemindars* are too freely applying for the application of the certificate procedure and Government under the present law have to allow such application. But Government can lay down certain conditions on which those applications can be allowed, and here Government can make those conditions a little more stringent so that *zemindars* may not get the powers so easily as they are getting now. It is the distress of the tenants that is causing distress to the Government as well as to *zemindars*. The tenants are the actual producers of the country's wealth and, therefore, every attempt should be made to see that they are not harassed and oppressed in any way. I feel the difficulty and I only wish that Government should do everything possible to see that the distress of

the tenants may be alleviated to a certain extent and that their holdings and cattle may not be sold away in summary sales in the way that is being done in the *mufassal* nowadays.

With these words I commend my motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Raja Bahadur BHUPENDRA NARAYAN SINHA of Nashipur: At the outset I must express my best thanks to my friend Maulvi Tamizuddin Khan for showing sympathy towards the *zemindars* in the matter of realisation of rent, but I am sorry I have to oppose his motion for the reasons I shall justly mention. Sir, the object of the motion, it will appear, is the undesirability of a too free investment of *zemindars* with powers of certificate. I do not understand, Sir, what he means by "*zemindars*" here, whether *zemindars* who come directly under Government or the landlord as a class. Certificate procedure is granted not only to the *zemindars* who are directly under Government, that is, to those *zemindars* who pay revenue to Government, but to those also who do not pay revenue to Government but those who pay rents to their superior landlords. As regards the *zemindars* who are directly under Government, I find from the last Administration Report of Government that there are 197,060 revenue-paying states. If I assume rightly, and if tenancy be taken into account, at least there are 25 lakhs of tenancies altogether in Bengal. Now, out of these 25 lakhs of landholders only 32 estates have the privilege of realising rent by the certificate procedure under section 158A of the Bengal Tenancy Act. Do you think, Sir, that if only 32 persons have the privilege of realising their rents by certificate procedure out of this huge number of estates, their number is too much for the purpose? I think it is very insignificant. This privilege should be extended to more private persons instead of restricting it to few. Apart from this, with regard to the principle of certificate procedure, I am of opinion that this procedure is for the benefit of the tenants. From my personal experience I can say that tenants who pay rent by certificate procedure do feel more comfortable than those who pay rent through rent suits. It must be agreed that it is more difficult to realise rent through the civil court and it must also be admitted, specially at the present time, that in 99 *per cent.* of execution cases the land has become *khas* and the tenants have been deprived of their holdings. Whereas in certificate cases I can assure the House, from my own experience, that I do not find that more than 1 *per cent.* of land has become *khas*. Whether to deprive the tenants of their holdings would be a good policy or to keep their holdings intact would be a better one, it is for the House to consider. As regards rent suits, it has been

found that it takes about 5 to 6 years to realise rent by this procedure. It is known to the House that during this period tenants do enjoy their land as rent-free and thus get temporary relief. But would it not be a dangerous policy to allow them to use the land without paying anything rather than to pay their dues and have the land intact with them? Sir, those who advocate this policy of allowing the tenants to enjoy their land for a certain number of years without paying any rent are, in my humble opinion, not their friends but their enemies. As regards the procedure there is practically no difference. By the certificate procedure speedy realisation of rent can be collected and there is the difference. In other respects, notices have to be sent and times are allowed as in the civil court. It is not a fact that as soon as a requisition is filed, distress warrant is issued, or the holdings are attached, but times are invariably granted. I find that in my estates about six to seven months' time was granted and part payment was accepted. So, by certificate procedure, the tenants are in no way being harassed; on the other hand, they do enjoy certain advantages and are benefited.

By way of illustration, I may add, that the cost in certificate procedure is much less than that of the civil court. Here no cost for *vakalatnama* has to be paid, no cost for pleader has been entered in the decree. In civil courts, in rent suits, the cost was sometimes more than the demand itself. This is another disadvantage for the tenants. In the long run they are benefited in every way. Sir, I have heard some tenants expressing great satisfaction in this method. They said that the former method of rent suits was ruinous to them. With these words I beg to oppose the motion.

Khan Bahadur Maulvi AZIZUL HAQUE: I am afraid my friend the Raja Bahadur of Nashipur has thoroughly misunderstood the scope of this motion. As my friend Maulvi Tamizuddin Khan made it absolutely clear, we do not in this motion at all say that the certificate power is bad or that certificate power should not be given where the Government is fully satisfied that this power ought to be given. But the motion intends to draw the attention of Government that at a time when there is economic distress in the country this power, so far as private landlords are concerned, should be exercised with a certain amount of caution. It is only in that spirit and also to make the Government recognise that if certificate powers are given to the landlords and others, economic distress should be recognised at a time when sales of estates take place and also at a time when these certificate notices are issued, that this motion has been moved. There is no doubt that Government itself recognises in its own Administration Report about the serious conditions of the tenantry in Bengal, and you will notice, Sir, that in the Administration Report, apart from the

economic distress, the natural calamities which have befallen Bengal during the last two or three years have also been recognised. These are the two features to which I would draw the attention of Government, and we feel that certain steps ought to be taken by Government, especially at the time when certificates are issued. Sir, I find that in the year 1928-29 the total number of certificate cases instituted was roughly about 66,000; in the year 1927-28, the total number of certificate cases instituted was 66,277. Coming to the same Administration Report for the year 1932-33 (as figures are not available for later years), I find that the number has increased this year to 143, 117. I may draw attention of Government to this fact again that while the number has increased from 66,000 to 143,117, our attitude, however, is not to quarrel with the number, but purely to draw the attention of Government that certificates should not be allowed to be issued without a good deal of caution. Steps have been taken by Government to see that the landlords' estates are as far as possible not sold. Similar things should be done in certificate cases. I have personally seen that cattle are being sold for Re. 1, Rs. 2 and even annas 8 each. It has also been experienced that in difficult times proper purchasers are not available. At present, under the certificate procedure, unfortunately there has been no definite instruction issued so far as private landlords are concerned, partly because it is the option of the private landlords and partly because the Revenue Department really take greater interest in other certificates than in certificates by private persons. Sir, I am drawing attention to this for the simple reason that I find that in the Administration Report for the same year the fact that there was economic distress has not been recognised in so far as the tenantry are concerned. On the other hand, you will notice that in the same Administration Report Government says that steps are being taken to expedite the certificate cases. When the economic distress is admittedly there, I think this power should be exercised cautiously, as far as possible, and either by moral pursuasion, if possible, or by vesting the Collectors with powers to extend the time in the areas affected; relief should be given. That is the reason, Sir, why we feel that in exercise of this power by the *zemindars* a certain amount of caution should be taken, and when certificates are granted, further action is necessary so that the tenants' holdings may not be transferred. It will be noticed from the same administration report that the number of sales have increased. With a view to finding out whether it could be restricted, I have supported the motion as a matter of principle. I wish to make it clear that it is not my intention to stand in the way of any reasonable solution of the difficulty.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, I indicated at an earlier stage that in cases where landlords have been granted the privilege of realising their dues by the certificate

procedure Government is not entirely helpless, for they retain the control of the proceedings and it is only in those instances where the rules have been complied with that the landlords are entitled to realise their rents by the use of the certificate procedure. In the first place, there must have been a record-of-rights. In the second place, the tenants' register must have been kept up to date. In the third place, it is only in those instances where there has been a system of granting receipts to the tenants when they pay, the privilege has been allowed; and this privilege is liable to be withdrawn as soon as it is brought to the notice of the Government that any landlord who has resorted to the certificate procedure has departed from the spirit of the rules. In the fourth place, we shall do all we can to instil into the minds of those landlords who have been granted the privilege of using the certificate procedure to be very cautious and to be moderate, that is to say to exercise their powers with moderation. There is a trite saying that greater the power the more careful must be the exercise of that power. That was said, I am reminded at the moment, nearly two centuries ago by a noted exponent of the Law, *viz.*, the late Lord Mansfield; and in the law courts this is one of the first principles we follow: that the greater your power the more cautious must be the exercise of that power, and I feel sure that if these landlords are made acquainted with this view of the Government, they will shape their policy in accordance with these views. So far as Government is concerned, it will keep a watchful eye upon the exercise of this privilege by the landlords, and if there is any instance of harsh use or misuse of this privilege Government will no doubt step in, because Government retain the power of control.

The motion was then, by leave of the House, withdrawn.

Haji BADI AHMED CHOWDHURY: Sir, I beg to move that the demand of Rs. 1,10,000 under the head "5A—Charges of administration—Certificate establishment" be reduced by Rs. 100.

The hon'ble member spoke in Bengali in support of his motion. The following is a translation of his speech:—

Sir, in most cases the defaulters have no previous information about the certificates issued against them. But as soon as a certificate is served on a defaulter, he has to pay an extra daily fee of 12 annas. In case the defaulters happen to hail from different villages, the extra fee of 12 annas is charged on each one of the villages severally. Thus it has been found that for an original demand of 2 or 4 annas only nearly Rs. 4 or Rs. 5 are realised by Government in the shape of daily fees. This has been the case with large numbers of certificate demands in Chittagong. In many cases of estates jointly owned by several co-sharers, some small dues in demands are left unpaid either through the negligence of any one of the co-sharers or that of their

officers with the result that a large sum has to be paid in by way of penalty. In these circumstances it appears that if before issuing certificates postcards are dropped to the defaulters informing them of the amounts due, the task of realizing Government demands will be much simplified, as also, unnecessary waste of time and money will be avoided. The postcard system has been introduced in those *zemindari* estates which are authorized to issue certificates. I also moved this matter in the Council last year. But the then Revenue Member informed the House that postcards used to be dropped in those cases where any alteration was made in the fixed rate of demand. But as a result of my personal inquiry, I have come to know that even in these cases no use is made of postcards. As for instance, there was a 10 *per cent.* deduction in the fixed rate of cess last year, thus necessitating a wholesale change in the figures representing the amounts of cess dues. But no postcard was dropped by Government in connection with the collection of cesses and the rents of estates.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, I oppose this motion. As a matter of fact, there are elaborate rules for the issue of post-cards, and it is not understood why these rules have not been observed. As regards *malpahara* which, I understand, means caretaker for lands, the complaint is without foundation. The hon'ble member moved similar motions in 1932 and 1933, and on each occasion the Hon'ble Member then in charge of the Revenue Department stated the facts as clearly and fully as possible, and I may remind the hon'ble member that on the last occasion the late Sir P. C Mitter stated that if any specific case was brought to the notice of Government, he would take the necessary action. No such case was brought to the notice of the Government. As I have already said, Sir, there are elaborate rules for the issue of post-cards and there is no reason to suppose that the officers——

(The time-limit for the discussion of the Land Revenue demand was reached at this stage.)

Haji Badi Ahmed Chowdhury's motion was put and lost.

The main demand was then put and agreed to.

Mr. PRESIDENT: The Hon'ble Minister in charge of the Excise Department has given me to understand that he does not wish to make a start to-night for the simple reason that he will have only five minutes to speak. I think that his request is a reasonable one. I, therefore, adjourn the Council till 3 p.m. to-morrow.

Adjournment.

The Council adjourned till 3 p.m. on Tuesday, the 13th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber, in the Council House, Calcutta, on Tuesday, the 13th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 113 nominated and elected members.

Oath or affirmation.

The following member made an oath or affirmation of his allegiance to the Crown:—

Mr. T. A. Currie.

STARRED QUESTIONS

(to which oral answers were given)

Auditors and Inspectors in the Co-operative Department.

*110. **Mr. NARENDRA KUMAR BASU:** Will the Hon'ble Minister in charge of the Agriculture (Co-operative) Department be pleased to state

(i) the present number of—

(1) Inspectors, and

(2) Auditors; and

(ii) how many of them are Muhammadans?

MINISTER in charge of AGRICULTURE DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (i) The present number of (1) Inspectors—84. (2) Auditors—241.

(ii) Inspectors—34. Auditors—101.

Mr. MUKUNDA BEHARY MULLICK: When was the last batch of appointments made?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: Three or four months ago.

Mr. MUKUNDA BEHARY MULLICK: How many appointments were then made?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: I want notice because these appointments were made by the Registrar of Co-operative Societies.

Mr. MUKUNDA BEHARY MULLICK: Is it in the contemplation of the Government to make appointments in this department in the near future?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: Not for the present.

Maulvi ABDUS SAMAD: Is the respectability of the candidates referred to in (*a*) regarding the appointment of Muhammadans or their connection with Government services taken into consideration in making appointments?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: These appointments are made by the Registrar on the result of an examination.

Maulvi ABDUS SAMAD: Is there any foundation in the idea which prevails that most of the officers are from the Eastern Bengal districts and the claims of the Western Bengal Muhammadans were not given due consideration?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: I have already said that these appointments are made by the Registrar as a result of an examination. I have nothing further to add to my reply.

Outbreak of malaria in the Bagerhat subdivision.

*111. **Maulvi ABUL QUASEM:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that an outbreak of malignant malaria has recently caused numerous deaths in certain villages of the Bagerhat subdivision of the Khulna district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when Government came to know of it;

(*ii*) what measures were taken by the Public Health Department to deal with the epidemic and when they were taken;

(*iii*) what assistance the department has rendered to the district board of Khulna in the matter; and

(*iv*) how many deaths have occurred due to the outbreak?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes, but the returns show that the mortality was considerably less during the months of September, October and November, 1933, than in the corresponding period for 1932.

(*b*) (*i*) The Director of Public Health was informed of an outbreak by the Vice-Chairman of the district board on November 22nd.

(*ii*) and (*iii*) Quinine to the value of Rs. 1,375 and Rs. 2,350 had already been supplied to the district board and the Civil Surgeon respectively. After the receipt of the Vice-Chairman's report 20 lbs. of cinchona febrifuge powder was sent to the district board and a special supply of quinine to the value of Rs. 2,350 was given to the Civil Surgeon for distribution to the dispensaries.

A sub-assistant surgeon was also deputed at once to the district to help the district board staff.

(*iv*) The number of deaths registered in the subdivision as due to malaria during the months of September, October and November, 1933, was 382.

Maulvi ABUL QUASEM: With regard to (*b*) (*ii*) is the Hon'ble Minister aware that before the Public Health Department rendered assistance which is enumerated here, several reminders had been sent to the department, and is he also aware that a sub-assistant surgeon was deputed to help an old gentleman whose time of retirement was due and he was not of much service?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is not the information of Government. I think his age was only 49.

Babu HEM CHANDRA ROY CHOUDHURI: Considering the fact that the people are falling victims to malaria every year and that quinine is the only medicine effective in the case of malaria and also that many people cannot afford to purchase quinine, does the Government contemplate to distribute quinine free of cost?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not think it is possible in the present financial state of the province.

Tenders for Public Works Department works

*112. **Maulvi MUHAMMAD HOSSAIN:** Will the Hon'ble Minister in charge of the Public Works Department be pleased to state whether it is a fact that, in many cases, lowest tenders of renowned contractors for the year 1933-34 were not accepted in the Bakarganj division for Public Works Department works?

MINISTER in charge of PUBLIC WORKS DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): Government are informed that this has not been the case except when there have been adequate reasons for refusing the lowest tenders.

Maulvi MUHAMMAD HOSSAIN: Did the Hon'ble Minister rely on the information of the officer who refused the lowest tenders in framing his reply?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: The officer always gives the reasons for refusing the lowest tender and he always satisfies himself as to the reasons.

Mr. PRESIDENT: The question was whether or not your information is based on the report of the officer who refused the lowest tender or is it based on other materials?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I have information also from the local Public Works Department officers.

Maulvi SYED MAJID BAKSH: In this particular case of refusal of the lowest tender what was the reason given by the officer for such a refusal?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I want notice of that. If the hon'ble member has any particular instance in his mind I should be very glad to answer him and clear the point if he will only let me know about it.

Maulvi SYED MAJID BAKSH: What was the opinion of the officer who has supplied the information for this answer?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I want notice of the particular case with reference to which the hon'ble member is seeking this information.

Maulvi SYED MAJID BAKSH: Notice for what I am asking for definite information.

Mr. PRESIDENT: If the Hon'ble Minister wants notice you cannot dispute that.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I want a specific case. The hon'ble member so far as I understand is referring to the general practice.

Maulvi MUHAMMAD HOSSAIN: Is it not a fact that some lowest tenders were accepted?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I have already answered that question.

BUDGET GRANT OF THE GOVERNMENT OF BENGAL FOR 1934-35.

DEMAND FOR GRANT.

6—Excise.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 16,46,000 be granted for expenditure under the head "6—Excise."

In placing the demand before the House I propose to give a brief *resumé* of the excise policy of Government and the important administrative and legislative measures taken in pursuance of that policy during the past year. Licensing Boards in Calcutta as well as in *mufassal* have functioned satisfactorily in maintaining strict control over the number and location of excise shops as also in regulating hours of sales in *mufassal* shops.

The question of settlement of excise shops with women has come in for considerable criticism in this House in the past. On a careful consideration of all the aspects of this question, it has now been decided to prohibit the settlement of shops with women save in exceptional circumstances and with the previous approval of the Excise Commissioner.

This restriction will not, however, apply in the case of hill women and women belonging to aboriginal tribes in areas where there is a definite usage of the sale of excisable articles by such women.

The Bengal Opium Smoking Act has been brought into force throughout the whole of the province excepting the districts of Darjeeling and Chittagong Hill Tracts with effect from 1st June, 1933, and under the rules made thereunder the register of smokers will be closed after a period of one year and thereafter no other person shall be registered save in exceptional circumstances and with the sanction of the Excise Commissioner. It is hoped that the strict enforcement of the Act will attain the ultimate object of stamping out the vice of opium smoking with the present generation of addicts.

The Opium (Bengal Amendment) Act has been put into operation with effect from 1st March 1934. This has brought the opium law into greater conformity with modern requirements. Under the provisions of the Amending Act powers of investigation of offences and of granting bail have been conferred on preventive officers of suitable standing.

I explained in my budget speech last year that though the fall in excise revenue was generally due to economic causes, the abnormal decrease in revenue specially from country spirit was none the less attributable to an enormous increase in illicit distillation in a number of districts. The majority of the consumers of country spirit belong to the classes who cannot afford to pay the prices which were fixed in the prosperous post-war years under the fixed-fee system. They naturally want cheaper liquor. Consequently the manufacture and sale of contraband liquor is being practised on an unprecedented scale particularly in Calcutta and in the Presidency and Burdwan Divisions. It was therefore imperatively necessary to take stringent measures to cope with this evil which not only diminishes the excise revenues of Government but also leads to an increase of drunkenness among the people. While vigorous steps were taken during the year to check this evil by strengthening the preventive staff to which I shall refer again, it was recognised that the efforts of the excise staff in this direction were not likely to be very effective unless the prices of licit liquor were reduced to some extent by a decrease in the rates of taxation. The Governments of the United Provinces and Bihar and Orissa where illicit distillation was similarly rife, not only reduced the prices of country spirit in these provinces but also safeguarded their revenues by reverting to the auction system which usually yields the maximum license fees. Before following the example of these two provinces, the Local Government decided on the advice of the Standing Committee on Excise to make an experiment in auction system in the districts of Midnapore, Bankura, Birbhum, Jalpaiguri, Mymensingh and in the industrial areas of the district of Hooghly. The prices of country spirit were reduced by about

25 per cent. while the shops were settled by auction. In Tippera, the experiment was tried of reducing the prices of country spirit to the same extent while keeping to the fixed-fee system in order to ascertain whether the increase in license fees would be equivalent to the loss of duty.

The results of the above experiment conducted during the last year are at present under examination.

As regards preventive work in the affected districts to deal with the enormous spread of illicit distillation the position is as follows:—

In Calcutta, the number of cases detected by the regular staff rose to 1,077 in the first 10 months of the current year against 821 in the corresponding period of last year. A special staff consisting of one Superintendent, five Sub-Inspectors and about 30 peons was appointed about the end of September last to work directly under the supervision of the Commissioner of Excise. Up to the end of January, this special staff detected 499 cases (in addition to the cases detected by the regular staff) and seized 204 gallons of liquor and 357 maunds of fermented wash. It is reported that as a result of this intensive preventive work illicit distillation has been checked to an appreciable extent in Calcutta and that there was an increase of Rs. 71,414 in revenue in the month of January last as compared with that of the corresponding month in the preceding year.

Turning now to the budget estimate for excise revenue I would observe that it was fixed at Rs. 1,39,00,000 for the current year but the progress of actuals indicate that this expectation is unlikely to be realised and the revised estimate has accordingly been placed at Rs. 1,31,45,000. As already stated the decline is ultimately attributable to general economic depression. The experimental re-introduction of the auction system in place of the fixed-fee system in a few districts referred to above has, however, checked the fall to some extent. In the hope that there will be some slight improvement in the economic position, next year's estimate is put at Rs. 1,40,00,000.

Adverting now to the expenditure side of the budget I would observe that the budget estimate for the current year was Rs. 17,05,000. This has been reduced to Rs. 16,61,000 in the revised estimate mainly as a result of rather drastic retrenchment which has been found possible, consistently with efficiency of administration of the department, in pursuance of the recommendations of the Bengal Retrenchment Committee. The House will observe that it has been possible to place the demand for next year at a still reduced figure largely due to the same cause.

Sir, with these words I now commend the motion for the acceptance of the House.

Motions for reduction or refusal.

Mr. MUKUNDA BEHARY MULLICK: That the demand of Rs. 43,600 under the head "6A.—Excise—Superintendence—Pay of officers" be reduced by Rs. 14,400.

Sir, it is a purely economic question. You will find, Sir, that I brought forward a like motion year before last when I suggested that there was no necessity for two Deputy Commissioners of Excise one of whom can be very easily retrenched. The Hon'ble Minister was then pleased to say in reply that formerly there were three Deputy Commissioners and following the recommendations of the Retrenchment Committee of 1922, one of these posts had been done away with. He also said that two officers were necessary as one of them had been in charge of distilleries and the other in charge of supervision of the district works. So these two posts were necessary and the Government could not effect any more retrenchment in that direction.

Now, Sir, if you consider how this Department of Excise has been administered these few years, you will find that the administration has suffered very much. The Hon'ble the Finance Member told us the other day in his opening speech on the budget that there has been a loss of revenue to the extent of Rs. 95 lakhs under this head alone since 1929-30. This might mean one of the two things. Either it means the department with its highly paid officers has been mismanaged whereby this loss of revenue has been caused, or it may mean that the habits of the people of this province have become temperate and their patronage of this department has diminished. In the first case the officers concerned do not deserve any consideration for being retained in service; and in the second case there is no necessity nor any justification to retain such highly paid officials in service. Again if you look to the figures you will find, Sir, that in 1931-32, the actuals of expenditure under this head were Rs. 39,847. In 1932-33 they required 3 officers under this head and the budget estimates were Rs. 30,800 while the revised estimates were Rs. 38,400 and the actuals were Rs. 39,946. In 1933-34 they required three officers and the budget estimates were Rs. 36,100 while the revised estimates were Rs. 37,600. In the ensuing year 1934-35 they have budgeted for three officers under this head and the estimates are Rs. 43,800. In other words, while we find that from 1929 onwards there has been this fall in the revenue under this head, showing clearly that the activities of the officers have decreased their expenditure in maintaining the staff has considerably increased. I venture to think therefore that regard being had to the existing stringent financial condition of the province, Government will be well advised to do away with at least one of these highly paid officials for whom there is no justification any more.

If it is only the question of supervision of district works as the Hon'ble Minister said on that occasion I think it is the Commissioner who can do this and I dare say he does this work. I hope, therefore, that there should not be any hesitation on the part of the Government to effect this economy by doing away with this post. With these words, Sir, I commend my motion for the acceptance of this House.

Dr. AMULYA RATAN GHOSE: I move that the demand of Rs. 1,29,000 under the head "6A—Superintendence" be reduced by Rs. 20,000 (retrenchment).

Looking at the budget figures we have tried to find once more how to reduce the expenditure and thus to make up the deficit, if possible. Sir, Excise revenue rose steadily from 156 lakhs in 1917-18 to 228 lakhs in 1925-26, but it fell again to 180 lakhs in 1930-31 and in 1931-32 it dropped practically to the figure of 1917-18.

The cause of this fall is remarkable as will be seen from the Administrative Report that it has begun from the time this department has come under the present Minister. It is really very astonishing as to how such a big decline has taken place. The Retrenchment Committee recommended that the excise charges should be reduced from 26 to 16 but only it has been reduced to 23. The number of the posts of Superintendents has been reduced from 14 to 12, whereas the recommendation was to reduce the number to 6 only. The cadre of Superintendents of Excise was recommended to be reduced from 91 to 9, but in effect it has been reduced to 16 only. So far as the cadre of Inspectors is concerned, the Committee's recommendation was that three posts—one at Jalpaiguri and two at Mymensingh—should be abolished, but only one post has since been abolished so far.

Leave vacancies in the cadre of Inspectors were to be abolished and to have been replaced by Sub-Inspectors and there being no extra post of Superintendent as leave reserves three of these posts should be abolished and the post of Sub-Inspectors should be created instead. Inspectors should be reduced from 61 to 50 according to the recommendation of the Committee but here also only a partial retrenchment has been given effect to. The recommendation was to curtail their number by 37 in districts other than Calcutta and the 24-Parganas and in the latter two distgicts by 6 if not more but only 10 has been reduced. Actully a saving of Rs. 1,11,068 has been effected. In the Administrative Report we find that temperance movements were not apparent and therefore the reason for the fall of excise cannot be ascribed. Then again picketing of shops from May 1930 to the end of October within a month after the Delhi Agreement was stopped. So, Sir, the picketing also cannot be held responsible for this heavy decline in revenue.

Now as regards the Licensing Boards, Sir, the majority of members of the Licensing Boards were composed of officials—

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On a point of order, Sir. The hon'ble member's motion is a motion for retrenchment but he is discussing the situation of the licensing board. I do not think the licensing board has anything to do with retrenchment.

Mr. PRESIDENT: Dr. Ghosh, you had better say as to why you are referring to the licensing board?

Dr. AMULYA RATAN GHOSE: My point is this: If the opinions of the licensing boards are accepted then a reduction can be effected in the staff.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not think so but I wish to refer to this point when I wish to reply.

Mr. PRESIDENT: I am not giving any ruling but I want the Hon'ble Minister to consider whether the member cannot, within due limits of his amendment, insist upon the reduction of the superintending staff on the ground that the department received a substantial and material help from the licensing board.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: But, Sir, retrenchment has got nothing to do with the licensing board.

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. Can the Hon'ble Minister question the ruling of the Chair?

Mr. PRESIDENT: I have not given any ruling yet. I only asked him to consider if his point of order is maintainable in view of the reasons adduced by Dr. Ghosh.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I wish that the president of the licensing board should listen more attentively to the Chair.

Mr. PRESIDENT: I rule that it is possible to say something about the licensing board provided the member is able to show that the licensing board is helpful to the superintending staff of the Excise Department in respect of duties assigned to them and that, therefore, some retrenchment is possible in the staff itself. But he cannot enter into the personnel or the policy of Government in regard to the licensing board.

Dr. AMULYA RATAN GHOSE: What I was going to suggest was that if the licensing board is well represented from the people and

from the public bodies and if the majority of the members are from the popular side and if the opinion of this licensing board is taken and given effect to, then I am positive, Sir, that even if the present strength of the staff be reduced then the work will not suffer. What I want to make out is that if these licensing boards are consulted more frequently then the question of illicit distillation can also be tackled and therefore more revenue will come to the coffers of the Government and also the number of the staff can be largely decreased. Then, Sir, as regards the revenue, as I have already said this has come to such a low figure that it is really a very critical question and it reflects discredit upon the department responsible for the administration of that particular portfolio.

Mr. PRESIDENT: But you are not discussing the policy of the department. Yours is an economic motion, do not forget it. Give us some idea of your plan of retrenchment.

Dr. AMULYA RATAN GHOSE: As I have already said the recommendations of the Retrenchment Committee have been given effect to partially, but if they had been given effect to in their entirety I am sure the work will not suffer, though the Hon'ble Minister has said that the work will suffer As I have said, that is not the reason for the fall in the revenue. It is not really the number of the staff that counts towards the success of the department but the efficiency of the staff is the real thing that ought to count. The fall in revenue in the preceding year is the strongest argument in favour of giving effect to the recommendations of the Committee in their entirety. I would have been much pleased if this decline in revenue indicated a decline in number of consumers but instead of that the number of consumers have awfully increased and they drink liquor manufactured by illicit means and sold very cheap, a fact which has been admitted in the report of the administration of the department for 1932-33. One argument may be advanced against further reduction in the excise staff that in view of the extensive manufacture of illicit liquor this reduction cannot be effected but that sort of argument will be quite hollow and I shall say against that argument that despite the fact that the staff was full up to 31st July 1933 the illicit manufacture of liquor was going on merrily, so after 31st July 1933 when the staff was reduced considerably the illicit business, though going on, the amount of work done by this reduced staff in effecting successful prosecution was rather more than before. The conclusion is certainly that it is not the number of staff that really counts but the efficiency of the men of the department that really counts. The country is passing through a very critical time and it is necessary that the expenditure must be reduced. We can ill afford to defray the huge expenditure of a staff which is useless and worthless. Sir, it is these men who really help the illicit manufactures and had it

not been so this unlawful business cannot exist at all. There is weekly or monthly *bandobust* with the staff of this department from the inspectors down to the peons. Against these organised manufacturers no action is taken by these people even on complaints and informations given to them. Sometimes these men if hard-pressed go to raid with much reluctance and——

Mr. PRESIDENT: I do not think that you need labour that point for your purpose.

Dr. AMULYA RATAN GHOSE: If I do not give this information then I cannot show that the staff is unnecessary and therefore retrenchment will be necessary.

Mr. PRESIDENT: I do not agree with you. Yours is an economic cut. You should try and confine yourself to a scheme of your own. You might say that such a large staff is not necessary but you cannot on the present motion criticise either their honesty or anything of the kind. In that case you ought to have brought forward a motion for a token cut.

Dr. AMULYA RATAN GHOSE: What I intended was to draw attention——

Mr. PRESIDENT: Please do not labour that point.

Dr. AMULYA RATAN GHOSE: All right, Sir. I have given you an idea that if the staff is reduced the work will not suffer and to explain that I was just elucidating my point. But as you have kindly instructed me not to labour that point I will not continue that.

Mr. PRESIDENT: My point was that you need not go into details. In a general way you have already said that if the staff was more efficient and honest then probably they would have done their work better.

Dr. AMULYA RATAN GHOSE: I want to suggest that if these people, I mean if the staff of the Excise Department, is efficient and honest then this illicit distillation business can very well be stopped, and a reduction in the staff can also be effected at the same time. I want to make some suggestions to this House as to how this illicit distillation business can be stopped even with a reduced number of hands, if you kindly permit me to do so.

Mr. PRESIDENT: I do not think that is within the scope of your motion.

Dr. AMULYA RATAN GHOSE: All right. Can I not speak on my next motion also?

Mr. PRESIDENT: I have no objection, it will save time if you will move it at this stage and we have one general discussion on both the motions.

Dr. AMULYA RATAN GHOSE: I can do that in my next motion No. 94. I have given reasons how retrenchment can be effected. The report of the Retrenchment Committee was there and the hon'ble members of this House had enough time to consider this report. The report was very carefully considered by the Committee and after due deliberation the retrenchments were recommended and if we do not accept the recommendations of the Committee then certainly the recommendations of the Committee are almost useless. It is for the benefit of the country that the Retrenchment Committee took so much labour upon themselves and found out ways and means how they could curtail the expenditure and to give effect to their recommendations in their entirety is a thing that I advocate. I say that our country is passing through such times that we cannot afford to pay the huge expenditure of this department just now. In the question times to-day there were questions about malaria and the Hon'ble Minister had to say that Government have no money to meet the expenses of the problem. Yesterday there was the discussion about famine in Jessore and there was almost the same type of reply from Government. We also know that our troubles and tribulations are hundreds and hundreds, but if the Government do not pay heed to our grievances then it will be very difficult for the people to live in this country and under this rule. The Retrenchment Committee had held long sitting and after their deliberations have recommended retrenchments. The Hon'ble Minister has of course given effect to some of these recommendations but I ask why the entire recommendations have not been accepted and given effect to immediately.

With these words I beg to move my motion.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: I chose a wrong moment but I must say something about the retrenchment. Everybody is eager to see expenditure reduced but unfortunately everybody who is in service does not like to touch himself and the result is that we do not get any light from them. But if anybody would agree to read the report of the Retrenchment Committee, which is rather now called the Swan Committee, he will at once get the clue if he has got the sufficient intelligence to look for it. The very first subject that the Retrenchment Committee began to enquire into was Excise. There they remarked that after having reduced the staff and the expenditure

to the extent of one lakh of rupees, in two years' time they found that the lakh of rupees have been added to the expenditure because of the pernicious system of annual increment of pay has been accepted by the Government instead of grade pay. Our difficulty, our danger is in the introduction of the new system of annual increments. This is absolutely unheard of in any other sphere. You will never hear of a man getting an annual increment—whether he is fit for it or not is not a matter to be decided, but whether the finance can justify that increase, that is the point. A lakh of rupees which was saved by the dismissal of several officers has gone into the pockets of the existing staff and this unearned money which is now being enjoyed by the officers is responsible for this abnormal state of affairs. When the Retrenchment Committee began their enquiry in right earnest why they did not pursue that point further and find out what has become the implication of the change of policy of Government I do not know. For the sake of curiosity I tried to find out what the graded pay of the Provincial Executive Service was in 1914 and what their pay is at present although their number is the same. In 1914 both the Subordinate and the Provincial Services did not take away more than 22 or 23 lakhs of rupees. The same number with the addition of a few Sub-Deputy Collectors now take away about 60 lakhs. So this huge sum of 25 or 30 lakhs is given away without any corresponding advantage to anybody. What is the good of reducing and retrenching when you have taken to this pernicious system? I hope the Excise Department will read carefully the report of the Retrenchment Committee and say that we are not going to put up with this sort of pernicious system. Let us have as many officers as are actually necessary for the management of affairs and put a stop to the illicit distillation that is going on.

Mr. PRESIDENT: Are you supporting the motion or opposing it? (Laughter.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: I am supporting it. If there was the graded pay system, we could have got all these people work at half the cost. (Question.) Someone questions. But probably he does not know that as a businessman I have gone carefully into that part of the budget and tried to explain this several times to several officers pointing out to them why they were thinking that they had no money. If they would revert to the old system they would be able to carry on the administration of the country at half the expenditure. I may enlighten the Hon'ble Minister as well as the Finance Member that this was really one of the questions that were put to me by a Committee—why don't we follow the Punjab and have a graded system and work at less cost than introducing a new system of

annual increment and pay more? Frankly I tell you that I could not reply to that. That being the position and this being a transferred department, practically the Provincial officers are absolutely under the control of this Government and have nothing to do with the Government of India or the Secretary of State in the matter of appointment, pay and prospects. So if you agree to have the graded system introduced and reduce your expenditure, you will be showing an example to other departments to follow. I would suggest with all seriousness that you should go back to your old graded system and have control over your funds. If you do so, you will have no difficulty in the management of the affairs of the country.

Rai Sahib AKSHOY KUMAR SEN: Sir, while giving the mover of this cut credit for his zeal to effect retrenchment when we are all anxious to do so, I regret I cannot but consider this action as an example of misplaced energy. I shall be glad to give my whole-hearted support to any move in the direction of economy which would neither cripple our resources nor lower the standard of efficiency. I am afraid the acceptance of this motion will result in both. Without proper and constant watch and direction the revenue derived from excise will dwindle down. For, Sir, the illicit distiller is not non-existent. On the other hand, he has of late been very much in evidence; I will not go into details or enumerate the reasons for his activities. But the fact cannot be ignored that he is there and his activities aim at reducing our legitimate income.

From the budget it appears that we cannot afford to reduce our revenues. This is neither the place nor the occasion to condemn Bombay's unjust—I would say mean—opposition to only 50 *per cent.* of the income from the export duty on jute being given to Bengal. It is fully in keeping with the traditions of that Presidency. But, Sir, even that grant would not enable our friend the Finance Member to present a balanced budget. With this deficit to face we cannot allow the excise revenue to diminish for want of proper supervision.

Motion No. 89 is for the reduction of certain staff, and my point is that if the staff is reduced, there will be lack of supervision and thereby the revenue will diminish, because the illicit distillers are very active, that we have seen of late.

My submission is that economy is necessary, but too much economy is not safe. In the present case economy is sure to land us to a fall in revenue, and so there will be a deficit in the budget.

My submission is that if the staff be reduced there will be lack of supervision and the income will be reduced thereby with the result that illicit distillation will be much more on the increase. That is my point.

As regards motion No. 93 I submit that my hon'ble friend Dr. Amulya Ratan Ghose has said that the members of the Excise Licensing Board are quite helpful for the purpose of detection of illicit distillation and other things and that if Government listen to the advice given by the Licensing Board, the retention of so many officers will not be necessary. My reply to this is that so far as I remember under section 30 of the Excise Act certain powers which were formerly exercised by the Collectors have been delegated to the Excise Licensing Board and those powers are limited to this that they have been given the power of suggesting the location of shops, whether certain shops should be closed or not and of fixing time during which the shops should remain open. They have no power to superintend over illicit distillation and other things.

So it will be of no help to persons who have to supervise illicit distillation and other things; so my submission to the House is that considering all these facts and circumstances and the fact that the retention of the second Deputy Commissioner of Excise has been of immense good in the matter of detection of illicit distillation and other things which were found of late, I think motion No. 89 should not be accepted.

Mr. S. M. BOSE: I have to oppose motion No. 89. Formerly there were three Deputy Commissioners of Excise and one has been axed, with a resultant saving of about Rs. 13,000. Now, I understand the mover wants that out of these two, one should go, and that there should be only one Deputy Commissioner for the whole of Bengal. I think that is absolutely impracticable. Of the two one is in Calcutta, he is in charge of Calcutta and of distilleries, and I believe is also the Secretary of the Licensing Board; and as such he has a large volume of work to do. The other Deputy Commissioner is in charge of matters outside Calcutta and of detection, and I think it would be impossible to expect that with one officer the whole work in Bengal can be properly supervised. I think it would be false economy on our part to axe one of these two Deputy Commissioners. I therefore oppose amendment No. 89.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I rise to oppose both these amendments. At the outset I might observe that I find that some of the hon'ble members who have moved these motions or supported them are like the wife of John Gilpin, though bent on pleasure have a very frugal mind. They want the excise revenue to increase, they expect a check in illicit distillation; they want the preventive officers to do their duties very properly: but they at the same time propose a reduction in the number of officers and if possible reduction in their pay also; at least they would have to adopt the Punjab system and would give them annual increments because that would cost Government more. I might remind the honourable members that this

expenditure on the staff is really an insurance against illicit distillation. I can assure you, Sir, that during the last few months the department has been doing all that is possible to check illicit distillation, and with appreciable results. If you want to safeguard Government revenue you must encourage your officers and not discourage them by making vague allegations of dishonesty against them. Dr. Ghose said that there was an arrangement between the officers of the department and the illicit distillers and they did not do their duty properly and they connived at illicit distillation; that I believe was the sum and substance of his charge, and I strongly repudiate it.

Sir, turning to the specific point raised by Mr. Mullick, I might say that he has practically anticipated my reply, because he has quoted what I said last year. I may confess that I have no new argument to advance on this occasion. There were three Deputy Commissioners formerly and on the recommendation of the Retrenchment Committee of 1922 their number was reduced to two; one is in charge of preventive work and warehouses, and he has to supervise the work of a very large number of officers—Superintendents, Inspectors, Sub-Inspectors and Petty Officers, etc., in the whole of the Province. The second Deputy Commissioner is in charge of distilleries in Calcutta. He is the Collector of Calcutta and also Secretary to the Licensing Board of Calcutta. He is therefore a very hard-worked officer, and the House may know that one-third of the Excise Revenue of Bengal comes from Calcutta. So there is no reason to suppose that either of these officers is lightly worked. If their number is reduced it will not add to the efficiency of the department: it will not help Government to control illicit distillation or other contraband traffic in excisable articles, but will rather add to it. Sir, I will ask the House to remember that though there is for the time being a heavy fall in the excise revenue, it is one of our principal sources of revenue, and excise is the goose that that lays the golden egg, so they must be very careful about it and not kill it altogether. The department did all that was possible to give effect to the recommendations of the Retrenchment Committee. The Retrenchment Committee recommended that the number of excise charges should be reduced from 25 to 16, but the number has been reduced to 23. Sir, in recommending the grouping of districts for excise charges the Retrenchment Committee took the excise revenue, the number of shops, the number of excise prosecutions and the number of cases detected as the criteria and judged by the amount of work done by each district; but besides these there were other factors which they did not take into consideration, for instance, facilities of communication and the area of the districts. There are particularly criminal districts where the work is very difficult, namely, the district of Bakarganj, and the mill area in Hooghly. So, taking into consideration these facts Government could not agree to a further reduction of excise charges. As it is there

would be an ultimate saving of Rs. 1,11,000. That is more than what the Retrenchment Committee recommended in respect of the Excise Department. So, I think, that ought to convince the House that every attempt has been made to reduce the expenditure and bring it within proper limits. With these words I oppose both the amendments.

Mr. MUKUNDA BEHARY MULLICK: In view of the statement made by the Hon'ble Minister, I beg leave of the House to withdraw my motion.

Mr. Mukunda Behary Mullick's motion was then by leave of the House withdrawn.

Dr. Amulya Ratan Ghose's motion was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 43,600 under the head "6A—Excise—Superintendence —Pay of officers" be reduced by Rs. 100 (failure to encourage salt manufacture in Bengal).

It will be in the recollection of the House that when in the teeth of the unanimous opposition of the House the Government of India was pleased to impose duty on salt for the purpose of benefiting certain manufacturers in Aden, hopes were held out—but the Hon'ble Finance Member may rest his soul in patience I am not going to repeat what I said last year, namely, promises——

The Hon'ble Mr. J. A. WOODHEAD: I was not shaking my head, I may assure Mr. Basu.

Mr. NARENDRA KUMAR BASU: That hopes were held out that out of the grant given to Bengal out of this tax a portion of it would be spent for the encouragement and manufacture of salt in Bengal; I find from the budget that a sum of not less than Rs. 13,41,000 has been received by the Government of Bengal out of the proceeds on salt tax from 1931-32 up to the current year. Now, I would like to know if even a sum of Rs. 13 has been spent out of this 13 lakhs by the Government of Bengal for the encouragement of salt manufacture in Bengal.

As a matter of fact what has been done is to discourage the manufacture of salt in Bengal. Sir, the House may not be aware that there are some factories working, at least two, in different parts of Bengal trying to manufacture salt and to supply it at a small profit to the people of Bengal, and there is a Salt Manufacturers' Association which has been putting forward scheme after scheme to Government to try and help the manufacture of salt in Bengal. Up to date, Sir, nothing has come out of this. It is said by some official experts, on what authority I do not know, that as a result of their peripatetic tours in

Bengal they find that they could not manufacture salt under economic conditions in Bengal. They forget that ever since the dawn—I will not say of creation, but ever since the dawn of history—Bengal has been manufacturing her own salt. Bengalees have not been without salt till the British tradesmen came here: they did have salt, and there is no history that they paid ruinous prices for their salt. In fact, salt, as is known to everybody, is one of the two things which the poorest in Bengal eats—that is, rice and salt. Having regard to that, the facilities that the Bengal Salt Manufacturers' Association wants, namely, a little land under favourable terms and to establish a warehouse so that the warehouses might be properly guarded at night in order to prevent salt from illicitly going out of the warehouses, with a view to further develop the experiment of making salt from brine as in the coastal districts of Bengal. All these things would not have caused I am sure any very large expenditure out of the 13 lakhs and odd that the Government of Bengal has been able to bag out of the salt tax.

I submit, Sir,—promise or no promise—there is no case for a substantial part of this sum, or, at least, an adequate part of this sum, not being given to Bengal for the purpose of encouraging the manufacture of salt. I hope the House will accept the motion.

Babu JATINDRA NATH BASU: Sir, I associate myself with the remarks which have fallen from my friend Mr. N. K. Basu. As he has pointed out, the salt industry flourished in Bengal until about 75 years ago. There were salt-manufacturing *golas* all along the coast and the saline creeks. These *golas* used to provide employment to a large number of men of this province and brought sustenance to them. For some reason or other—owing to economic competition and also to their having no encouragement from our own Government—the salt industry gradually dwindled. There is now this income—this special income—of the Government of Bengal accruing from the salt duty. It was authoritatively stated, as Mr. N. K. Basu has pointed out, that a part of that income was intended to be utilised for the purpose of encouraging attempts at manufacturing salt. I think, Sir, that there should be a regular organised spurt on the part of the Industries Department so that a fairly large sum of money may be placed at the disposal of the Hon'ble Minister in charge of Industries every year for experiments regarding the manufacture of salt. No doubt, there are same people who are of the opinion that the taste of the people of Bengal had changed considerably during the last three-quarters of a century, inasmuch as they do not eat salt which is not as white as imported salt. But I should like to point out that a large part of the population of India eat salt which is not so white as the imported variety—especially the variety imported from the Red Sea. If I remember aright, some time back members of this House received

packets of salt manufactured in Bengal, as white as any other salt, which demonstrated the fact that salt can be manufactured in Bengal, in no way inferior to imported salt. This is a matter worth inquiring into. In Bengal we have a big seaboard, and there is no reason why salt cannot be manufactured along the coast on modern scientific principles. I think Government should make attempts to develop this key industry at the earliest possible moment inasmuch as our staple products, *viz.*, rice and jute, are being threatened. It is imperative that, in the first instance, Government should think of encouraging research, in order to see whether this industry could at all be established in Bengal on a sound financial basis, *i.e.*, on terms which can be said to be marketable. The prime necessity is to enunciate a comprehensive policy which can be worked out, and no unnecessary delay should be made.

Mr. P. N. GUHA: Mr. President, Sir, our protest against the inactivities of the Government of Bengal in connection with the problem of the manufacture of salt has assumed the shape of a "hardy annual". We have been recording our protest year after year, but to no effect. Sir, it may be within the recollection of the House that I moved special resolutions over this question for two successive years and recorded our emphatic protest against the additional tax on salt imported from Aden at the instance of the Board presided over by Sir Chunilal Mehta. The Government of Bengal were kind enough to send the gist of our protest up to the Government of India and if I mistake not, the decision of the Government of India to hand over a portion of the income to the Government of Bengal was due to our protest. The money paid out of the salt duty to the Government of Bengal should have been earmarked for giving encouragement to the manufacture of salt in Bengal as suggested by the Government of India, but that has never been done though this is the third year that we are getting such money. We once again record our emphatic protest against the inactivities of the Government of Bengal in this direction.

Sir, the Local Government have done nothing in that direction beyond a formal inquiry. They brought down a gentleman named Mr. Pitt, supposed to be an expert on the question and a Superintendent of Excise was tagged to him. Mr. Pitt visited several places on the sea coast and submitted a report in due course. Absolute impossibility of the manufacture of salt was indicated nowhere in the report of Mr. Pitt though he recorded the opinion that the prospect was not very encouraging. Thereafter the Government of Bengal did nothing or to be precise they invited applications from the prospective manufacturers of salt and some applications were actually received. I am in a position to assert that these applicants received no help or encouragement from the Government. "Have you sufficient funds at

your disposal?" "What is your experience?" Such were the questions addressed to the applicants by the Department of Excise and there the whole thing ended. In the meantime money received from the Government of India was utilised probably for the maintenance of the police.

Sir, it has been proved beyond a shadow of doubt that Bengal used to be self-contained with regard to her salt. The records of the early period of the British rule will prove that Bengal had a flourishing salt industry. There was a time when the Province was dotted with *nimak mahals*. In this connection I might refer to a book which contained all about the salt indutsry of Bengal. This book was named "Indian Affairs" and the name of the writer was Mr. Bolt. The book is out of print, but I have reasons to believe that two or three copies can still be found in India. (MR. N. K. BASU: Has it been proscribed by the Government?) No. I had a copy some 20 years back, but somehow or other it has been lost. (THE HON'BLE MR. J. A. WOODHEAD: Can it not be procured now?) I am afraid not. Anyway I can assure the Government that salt used to be manufactured in Bengal in sufficient quantity and it can be manufactured even now, though I agree that there are some difficulties in the way. The very first thing essential in this connection is the selection of the proper place where salt can be cheaply and conveniently manufactured. The next point for consideration is the facilities for marketing the salt manufactured. Suppose the salt can be cheaply and abundantly manufactured in a place near Kakdwip, but such salt will be of no use to anyone if you cannot bring it to the market with the least possible cost. These are the problems which cannot be solved without the active help of the Government, but to our misfortune such help had not been forthcoming. I have been thrashing this question in this House year after year, and I appeared as a witness before the Committee which was appointed by the Government of India last year to see if the taxation could be further increased as suggested by the Tariff Board. But Sir, I have now given up everything in despair.

Sir, our complaint is that the Hon'ble Finance Member has been permitting the utilisation of the money earmarked for salt to other purposes. I am not a lawyer, but I think lawyers like my friend Mr. Basu and Dr. Sen Gupta would do well to lodge a complaint in a proper court of law against the Hon'ble Finance Member for misappropriation! Everyone in Bengal was assured of his নুন ভাত as we say in Bengali in old days and it is a matter of great regret that the Government of Bengal do not see their way to make an effort at least to bring back those days even when they have money in their hands for the purpose.

Babu KHETTER MOHAN RAY: Mr. President, Sir, I support the motion of Mr. N. K. Basu. We also remember how this Council and

the Government of Bengal protested against the imposition of protective duty on imported salt as it would affect Bengal prejudicially. At that time assurance was given out by the Government of India that the duty thus realised would be made over to Bengal and other provinces, which would suffer from this imposition, for the development of salt and other industries. The Government of Bengal have, up to now, we find from the financial statement, received more than 13 lakhs of rupees on condition that the money would be applied for the development of salt industry in Bengal. May we enquire what the Government have done to develop the salt industry in Bengal which possesses an extensive sea-coast? Has any enquiry been made as to whether salt can be manufactured as a profitable industry in the province? The Government of Bengal, on the initiation of His Excellency the Governor, have undertaken the economic survey of Bengal with a view to relieving distress arising from unemployment, abnormal fall in prices of agricultural products, and trade depression. In our opinion the manufacture of salt in Bengal with a vast sea-coast wherever is economically feasible—as a national industry of supreme importance should be within the purview of this survey. It is a matter of great regret that our Government without instituting any enquiry into the feasibility or otherwise of the salt manufacture in Bengal expressed adverse opinion against it. We also know the strong opinion of the European Mercantile community as regards the indigenous salt manufacture in Bengal. They assert for obvious reasons that salt cannot be manufactured in Bengal commercially. But the question is whether any attempt has been made to make an experiment in this direction. Even Mr. C. H. Pitt, the Government of India's Expert, fell constrained to admit—"since however no salt manufacture has been done on the Bengal and Northern Orissa Coast for some 40 years it appears to be worthwhile investigating the meteorological data which would influence the production of an evaporation source in these areas." In his report Mr. Pitt made some significant suggestion and indicated on what line an inquiry should be made. He said, that the "local Government should make arrangements for compiling a series of readings of the strengths of brine at points along the coast throughout the year in order to discover during which periods the strength of the brine rises to a density suitable for manufacture of salt and the analysis might be made by the Government Test House at Alipore and the cost being charged to the special import duty fund." He further admits that "there does not appear to be sufficient evidence immediately to state that manufacture of any kind would be commercially unprofitable."

Sir, may we inquire whether the local Government have made any arrangement to institute any inquiry on the lines suggested by the Government of India's Expert? So far as we are aware the Government of Bengal have not as yet moved in this direction. Failure of

the Government to take any prompt measure for such an inquiry and experiment though provided with sufficient money seems most culpable, specially on the part of a Government which is anxious to solve the problem of unemployment and to relieve distress arising out of commercial depression. We know that several undertakings were lately brought into existence which have taken up salt-making in Bengal.

(The Council was adjourned for 15 minutes.)

(After adjournment.)

Babu KHETTER MOHAN RAY: The "Premier Salt Manufacturing Company" of Midnapore, the "Model Salt Manufacturers" of Noakhali (Sinhagar Farming, Trading and Banking, Ltd.), the "National Salt Manufacturing Company" and other have already undertaken salt manufacture in right earnest. I have received information from reliable source that "Sinhagar Farming, Trading and Banking, Ltd.," of Noakhali has applied to the Hon'ble Finance Member for pecuniary assistance for the early construction of the salt factories the estimated cost of which would amount to more than a lakh of rupees.

They have further prayed for permission to buy and sell salt manufactured by the people living on and near the sea coast of Noakhali under the Warehouse System. Their efforts can only succeed if they receive adequate support from the Government.

Ever since the Gandhi-Irwin Pact the people living on the sea coast of Noakhali and other places have been manufacturing salt locally for their own consumption and also for sale amongst their own neighbours. If the Warehouse System is introduced in those places a great impetus will be given to those who are engaged in manufacturing salt as a cottage industry.

Sir, in Bengal about forty years before salt used to be manufactured on an extensive scale; but owing to foreign competition the salt industry had declined. In the meantime the conditions of our Province have undergone considerable changes. I do not find any reason why salt manufacture in Bengal, if conducted on proper lines and with safeguards, should not prove commercially successful. It is needless to say that this industry will provide employments for a large number of people. I venture to say that if the salt manufacture is allowed by the Government to be taken up by the cast multitudes of people as a cottage industry it will help the poor peasant in Bengal to alleviate their distressed conditions. One hundred and eighty lakhs of maund of imported salt is consumed in Bengal. You can easily perceive how many persons will find employment if this question is

seriously tackled. The Government have recently app[illegible] Economic Board and a Development Officer with a view to finding out ways and means for solution of unemployment and for relief of economic distress. Why not at once make experiment to develop salt manufacture as a cottage industry by establishing warehouses in suitable places. One of the companies actually applied for purchase and sale of locally manufactured salt under the Warehouse System. The Government should accede to their prayer and grant permission to do the same on proper security. In conclusion, I beg to urge that the Government should grant pecuniary assistance to Sinhagar Farming, Trading and Banking, Ltd., and other companies engaged in manufacture of salt on sufficient security being provided.

Khan Bahadur Maulvi AZIZUL HAQUE: In a motion like this I wish to make a few observations, Sir. There is no doubt that the salt manufacture in Bengal at one time was a flourishing industry, but I think the point which has to be examined to-day is whether salt manufacture is commercially feasible. We have heard for sometime past this matter has been investigated to a certain extent by the Government of India. At the same time I feel that there is a good deal of feeling that if salt manufacture is commercially feasible, every possible step should be taken by the Government of Bengal with a view to develop this industry in this province. If such an industry, which is such a prime necessity, is commercially feasible then it is always possible to find a market for it. With that view I suggest whether it would not be possible for Government to accept the suggestion, namely, whether the whole problem should not be merely examined by a Government officer but by the State Industries Board which is functioning under the State Industries Act, which should also examine this question, as to whether it might be feasible to have a commercially successful salt industry in Bengal. Many of us feel that by an enquiry of this nature a good deal of feelings will go away, if an independent body like that suggested, with the aid of an expert in these matters, could examine the questions, so that they will not only examine the question from the financial point of view but also from every other aspect. The State Industries Board is the proper authority which could be authorised to make this enquiry. If that body finds that this manufacture is not commercially possible, much of this feeling will die. I therefore feel that the Government ought not to leave this question to the Government of India but that a committee constituted in this province should be authorised to examine whether this salt manufacture might be commercially possible.

Khan Sahib Maulvi MOHAMMED BASIR UDDIN: At first sight of this amendment it is quite clear that this is a very necessary discussion to encourage the manufacture of salt by the people of this

Province, but if we think a little deeply it is evident that this sort of vague and unhopeful propaganda which has already hampered the progress of the country and put the poor helpless cultivators in such a difficult position. We want more money for preventive work instead of encouraging salt industry which will increase Government revenue only. We want more money for our Province to improve public health, education, roads and other desirable work of public utility.

Mr. K. C. RAY CHOWDHURY: I have every sympathy with the spirit underlying this motion, and no one is more anxious than I to see that the sea board from Chittagong to the border of Orissa is studded with salt factories. With this very object in view I helped in 1931 to form a Syndicate which made an inquiry into the prospects of the salt industry and the manufacture of salt on a commercial basis. I accompanied Mr. Pitt during his visit and my name is in that report. I went down the Orissa coast and gathered all the information available and visited the Nawapada Salt Factory and Lalji's Salt Factory at Aden and I can say that the conditions of Bengal do not favour the economic production of salt. I can give 101 reasons—

Mr. NARENDRA KUMAR BASU: No, let us have one.

Mr. K. C. RAY CHOWDHURY: The economic production of salt depends on solar evaporation; solar heat is God's own heat; that is what is wanted to make the manufacture of salt economic. It was owing to insufficient number of sunny days that the salt industry of Bengal cannot thrive. We have in Bengal got-a-customed to using fine white salt, whereas in Madras they prefer to use the muddy salt which is also consumed throughout the east and west coast of Madras, and this degeneration of taste has been the cause of disappearance of salt industry from Bengal; otherwise the muddy salt of Midnapore and Sunderbunds would have found a market. The economic manufacture of sale depends perhaps on the number of sunny days we can get on Bengal sea coast, and this number of sunny days is not very large in Bengal. The sunny days in Chittagong and Noakhali and Sunderbunds are much less than on the coasts of Madras, Orissa and Bombay, *i.e.*, Nawapada and right up to Tuticorin. Considering all this it is doubtful whether it would be worthwhile considering the manufacture of salt from an economic point of view. If we have to make white salt by artificial evaporation or by vacuum process, it will not pay in Bengal. We may start a factory in Chilka lake in Orissa. Therefore, I say that though I have every sympathy with the motion, I am afraid it is an impracticable thing from commercial point of view.

Mr. P. BANERJI: I had no mind to take part in the debate but for the expert opinion just given by the previous speaker. We are

not concerned with the manufacture of salt outside Bengal. My friend Mr. P. N. Guha while moving his motion some time ago brought to the notice of the members of this House that salt manufacture existed in this country, and Messrs. J. N. Basu and N. K. Basu pointed out that tempted by the quality of the salt manufactured in Contai an Australian Company came here and started a factory. The building in which the court is now located at Contai used to be the residence of the Manager of the factory. Owing to the competition of Liverpool salt, the manufacture of salt had to be stopped. Now, when the additional tax of four and half annas was introduced on Bengal salt, we opposed it and it was pointed out that about 40 lakhs of rupees was an additional burden on Bengal. Therefore, Sir George Schuster, the Finance Member of the Government of India, said that some money should be given to Bengal. The Hon'ble Mr. Marr, the then Finance Member, pointed out that Government was not prepared to take part in the debate but would refer the matter to Central Government, and we got 6 lakhs of rupees. Anyway we find that the Government of Bengal have got to-day 14 lakhs of rupees. It does not know whether it has been misappropriated in any other direction. Indication has been given by other members that we have no right to disburse it in other ways. But one significant fact we are apt to forget. That money has been given to Bengal for the encouragement of manufacture of salt, but as I have often said this Government exists to help the exploitation by foreigners, and here is an instance of that that although there is this 14 lakhs of rupees and many people are engaged in the manufacture of salt, and I absolutely deny the charge that salt cannot be manufactured in Bengal, still Government do not find it possible to help in its manufacture. In fact in the district of Midnapore no foreign salt is now available. In most parts of Tamluk and in the whole of Contai subdivision many people are entirely dependent on the local salt, and that salt is sold at one pice a seer and it is as good as Liverpool salt. Therefore, all that is wanted is support from Government, and I do not know whether it is within the competence of the Minister to get the money from the close-fisted Finance Member. This money, as was suggested by the mover of this motion, will probably be spent on police. In Midnapore the money that was spent in maintaining law and order was really spent to prevent manufacture of salt. In Pichaboni and other places a movement was on foot for manufacture of salt. I submit that the Bengali gentleman who was tacked on to Mr. Pitt was not true to his salt and I think he was made to write that it was not possible to manufacture salt on a commercial scale in Bengal. I do say that if inquiries are made, it will be found that it is quite possible to manufacture salt on a commercial scale. But I think Government will stand in the way. Therefore, I consider that it is time that this money should not be misappropriated by the Hon'ble the Finance Member.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I object to the word misappropriation.

Mr. PRESIDENT: I am afraid Mr. Banerji does not realise the implication of the word "misappropriation."

Mr. P. BANERJI: Sir, I mean misappropriation in other ways.

Mr. PRESIDENT: All that you should have said is that the money is being spent in different other ways. I of course fully believe that you did not mean what you said.

Mr. P. BANERJI: The direction of the Finance Member of the Government of India was that the money should be spent for the encouragement of salt manufacture in this country. With these words I support the motion of Mr. N. K. Basu.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: The question of the manufacture of salt is the most important of all questions that are before the House to-day. It is a business proposition no doubt, and every one wants to hear what my opinion on the matter as a business man is. So, I should not hesitate to put my opinion in this matter before the House. As far as I understand the whole implication of the business is this. One crore of rupees worth salt is actually consumed in Bengal. It is five hundred thousand tons, meaning one crore and thirty-five lakhs of maunds worth about one crore of rupees. To manufacture that quantity of salt a huge sum of money is no doubt required. I do not know what will be the actual cost of converting water into salt. How much it would actually cost per maund requires to be ascertained. I do not believe even the Hon'ble Minister in charge or the Hon'ble the Finance Member can tell us definitely what the cost would be per maund. If after enquiry it is found that the cost would be less than ten annas per maund, then I think attempt should be made for the establishment of a factory in Bengal. Otherwise, if the cost is more than that on account of the climatic condition of Bengal, I do not think the establishment of such a factory would be a business-like proposition.

The Hon'ble Mr. J. A. WOODHEAD: For the information of the Nawab I might say that the price of salt in Calcutta is eight annas per maund.

Nawab MUSHARRUF HOSSAIN, Khan Bahadur: I do not know what is the actual cost of converting so much water into salt. It will require some expenditure no doubt which I do not believe any one

of us actually knows. It would be necessary to carry out some actual experiment in order to ascertain definitely the cost of manufacturing salt. After it has been ascertained that the cost actually is cheaper than what we are now paying, then we can try and press Government for the establishment of a factory. I can give you one illustration. In my district of Jalpaiguri about a crore of rupees was sunk for the manufacture of three-ply chests, but it had to be given up as it was found that the cost of manufacture was more than that of imported chests. So, this is a matter of competition and business is business. Therefore, it is necessary to find out first whether it is possible to manufacture salt at a lower cost than what we are actually paying at present. If, however, from the point of view of higher politics it is said that, no matter what the price is, the money should be spent in this Province, I have nothing to say. I think from a business point of view it would be better to have an inquiry made into the matter by a competent committee as to what the actual cost per maund would be and then, if it is found that the cost would be less than eight annas, we should press Government for spending 3 lakhs of rupees to start a factory.

So I think it is a matter simply of £. *s. d.* Business, Sir, is a matter of calculation and I think Government can enlighten us in the matter, and we do not want to go away with the idea that because we have got less number of sunny days in Bengal we must not manufacture salt. I am not prepared to go away with that idea at all.

Mr. PRESIDENT: But what is your real position? You are neither supporting nor opposing the motion. Do I take it that you will not make up your mind until you know the cost of production? (Laughter.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: My position is that the Government should for the present, instead of launching into a big scheme, ascertain by experiment as to what would be the exact cost of salt per maund and if it is found practicable, then factories can be built, otherwise it is no use putting up factories.

The Hon'ble Mr. J. A. WOODHEAD: Mr. President, Sir, Mr. P. N. Guha has described this as an annual event, but I would describe it, so far as I am concerned, as an annual north-wester which descends upon my head once a year. Government has been charged with discouraging the manufacture of salt in Bengal; in fact the view taken appears to be that Government is antagonistic to the manufacture of salt on a commercial scale in this Province. That, Sir, is certainly not correct. I would welcome the establishment of the manufacture of salt on a commercial scale. My difficulty is that I am not satisfied

in my own mind that it is possible, and in considering this matter let us get away from sentiment. Sentiment does not assist in producing an article at a profit. Let us also get away from ancient history. It is not helpful, Sir, to stress the fact that salt was produced in Bengal one hundred years ago. It certainly was produced in Bengal a hundred years ago and it can be produced now by exactly the same method as was used at that distant date. In fact, although Mr. Basu, the Deputy President or Vice-President of the Bengal Salt Manufacturers' Association, is perhaps not aware of it, one of the companies which is a member of that association, has endeavoured to manufacture salt on a commercial scale by the method followed over one hundred years ago, and, as Mr. Pitt in his report foretold, they have found that this method does not pay. We are living, Sir, in the twentieth and not at the end of the eighteenth or beginning of the nineteenth century. The point at issue is simply this: can salt be manufactured in Bengal on a commercial scale at a cost which will enable it to be sold in competition not only with Liverpool salt as Mr. P. Banerji seems to suggest, he does not know perhaps that at the present moment the import of Liverpool salt has stopped—not in competition with Liverpool salt but in competition with salt manufactured in other parts of India, *viz.*, at Tuticorin, at Karachi and particularly at Aden? The question is, can salt be manufactured in Bengal on a commercial scale, so as to compete with salt from the rest of India?

Sir, I am still very doubtful whether that is a practical proposition and certainly my doubts have not been lessened by the speeches to which I have listened to-day. Not one speaker—not even Mr. N. K. Basu, the Vice-President or Deputy President of the Manufacturers' Association—seemed to have any idea of the cost of the production of salt in Bengal or any idea of the way in which it can be manufactured on a commercial scale at a profit. I am doubtful of success because of the conclusions reached by Mr. Pitt in his report. Mr. Pitt examined the different methods of manufacturing salt with a view to determining whether it could be made a commercial success in Bengal and I would remind the House, as I did last year, that there is nothing secret, about the manufacture of salt. Salt is manufactured in many places in India at a profit, and there is nothing about the processes of manufacture which particularly calls for research. Salt can be manufactured by evaporation by utilising the Sun's rays —this is the cheapest method—, by boiling the brine or by the combined method of solar evaporation and boiling. These processes can be quite easily tried out by the establishment of a factory if people do not accept Mr. Pitt's conclusion, namely, that it is very unlikely that salt can be produced in Bengal on a commercial scale at a profit. The history of the last three years and in particular the fact that

some members of the Salt Manufacturers' Association have made endeavours to manufacture salt on a commercial scale without success, strengthens the doubts created by Mr. Pitt's report. And in this connection I would once again like to quote from Mr. Pitt's report. I, as Finance Member, must get down to facts and I hope the House too will get down to facts in this particular case.

As regards the manufacture of salt by solar evaporation he made these observations:—

'I am of the opinion on scrutiny of these meterological data, particularly those of winter rainfall, that any attempt to manufacture salt on a commercial scale by solar evaporation on the Bengal or Northern Orissa Coast must result in complete failure."

The reasons for that conclusion are simple. The brine is very weak largely because of the large amount of fresh water that falls into the Bay of Bengal from the Brahmaputra and Meghna. Secondly, the working season is very short, extending from about the middle of November, when it is certain that the rains have ceased, to perhaps the middle of February, after which date there is always the possibility of heavy rainfall. So much, Sir, for the process of solar evaporation. Then Mr. Pitt investigated the possibility of manufacturing salt by the vacuum process—that is a more expensive process—and his conclusion was that on the evidence now to hand the project of manufacturing salt by the vacuum process in Bengal would appear to be in the nature of a hazardous speculation. He then went on to examine the possibility of manufacturing salt on a commercial scale according to the method followed one hundred years ago. His opinion on that was: "I am of the opinion therefore that the possibility of manufacturing salt on any large scale by this method may be immediately ruled out."

Although Mr. Pitt held out practically no hope of success of manufacture on a commercial scale, he recognized the strength of opinion for the opposite view and suggested that manufacturers might try an experiment in the manufacture of salt by the combined method of solar evaporation and boiling. His figures however held out no chance of success. He estimated that the cost of production of salt by this method would be 13 annas per maund, or Rs. 81-4 per hundred maunds. Prices in Calcutta to-day for Aden and Karachi salt are under Rs. 50 a hundred maunds—in fact I understand the price has been as low as Rs. 43 per hundred maunds. Mr. Pitt made his inquiries in 1931 when the price of salt was higher, about Rs. 66 per hundred maunds. If the chances of success were small in 1931 they must be much smaller to-day with salt standing at Rs. 16 per 100 maunds cheaper.

Then, Sir, as regards the cottage industry, I am afraid Babu Khetter Mohan Ray has not read Mr. Pitt's report. He seems to be of the opinion that the establishment of warehouses is necessary to the establishment of the cottage industry. I will deal with that point later on but personally I am not certain that warehouses will encourage the cottage industry. Mr. P. Banerji for once was right when he said that throughout Tamluk, and I think another subdivision, Contai, in Midnapore, a very large proportion of the salt consumed is manufactured by villagers from saline deposits on the sea shore. Government, Sir, have put no obstruction in the way of the expansion of that cottage industry except to limit sale to local consumers and at the present moment quite a large amount of salt is produced in this way.

Those are, Sir, the reasons why I am doubtful, why I have always been doubtful and am still doubtful, of the possibility of manufacturing salt on a commercial scale in Bengal. Mr. P. Banerji, I believe, referred to the antagonism of Europeans to the salt industry. Might I remind him that a European firm in Calcutta started an experimental factory in the Contai subdivision during the war when the price of salt was very high, and abandoned the project because it did not pay. That, Sir, was a definite experiment: that, Sir, is another reason why I am doubtful about salt being manufactured on a commercial scale in Bengal. At the same time, Sir, although I have little doubt on the matter I recognise that there is a considerable volume of opinion, particularly in this House, which takes the opposite view. I recognise that this view exists although I make bold to say—and I hope the House will not find fault with me for saying so—that the view is not based on facts. Facts are on my side; in fact Mr. N. K. Basu produced no facts at all.

Mr. NARENDRA KUMAR BASU: We want the facts to be investigated.

The Hon'ble Mr. J. A. WOODHEAD: The facts, Sir, I maintain have been investigated already, but as I say, I recognise that there is a strong feeling on the matter and recognising that feeling I have taken certain action. In Burma salt is manufactured on a commercial scale, and I believe successfully, not from the sea water but from brine beds. There is apparently a strata of concentrated brine some feet below the surface. Pits are dug down to this strata, brine of good strength is obtained and salt produced therefrom. That is the process which, though perhaps Mr. N. K. Basu may not know of it, is favoured by the members of his Association. They brought this to our notice some time ago and we have written to the Government of India—I think the letter has gone—asking them to place an officer on deputation to examine whether this strata of concentrated brine

exists along the Bengal coast. If it does, investigations will be made to see whether it is possible to manufacture salt on a commercial scale from this brine. We have also written to Burma asking for full particulars of this process as carried out on the Arakan coast. One advantage of that process is that it is said to be possible to carry on manufacture throughout the year by erecting sheds over the brine pits.

Mr. Basu spoke of warehouses and I shall now come to that. The idea was investigated by Mr. Pitt and he held out very little chance of success. I share his view and although I am very doubtful of success, yet I am prepared to recommend to the Government of India that an experiment should be tried. Now, Sir, I shall tell the House why I am doubtful. Salt which is manufactured in Contai and Tamluk by the villagers pays no duty. That salt is sold in the local *bazaars* at a rate varying from Rs. 1-4 to Rs. 1-14 a maund according to quality. The warehouse idea is this, at the present moment the villager is not permitted to sell salt to anybody other than the retail purchaser in his local market. It is proposed that he should be permitted to sell to the licensed warehousemen, who after paying duty on it will despatch it to the retail vendors further afield. The duty is Re. 1-9 a maund, the cost of transport from the warehouses to the consuming localities will not be less than 3 annas a maund, and the profit of the retailer to whom the salt is sold will also be about 3 annas a maund. The total of these three items, Rs. 1-9, *plus* 3 annas, *plus* 3 annas, comes to Rs. 1-15 a maund. It is obvious, I hope, that if the villager is able to obtain Rs. 1-4 to Rs. 1-14 a maund for his salt locally, the licensed warehouseman will never be able to buy even one seer of salt. This will be so, because the warehouseman will have to pay Rs. 1-15 as duty, etc., in addition to what he pays to the local producer. If you add these two figures together you get a price of Rs. 3-3 to Rs. 3-13, which is higher than the local price for imported salt. The warehouse scheme will not work unless the villager is prepared to sell his salt to the warehouses at prices somewhere in the region of 8 annas a maund.

Mr. P. BANERJI: They are selling at 10 annas a maund.

The Hon'ble Mr. J. A. WOODHEAD: No, the price is Rs. 1-4 at least.

Those who support the warehouse idea maintain that if the restriction now imposed on the villager whereby he is prohibited from selling his salt other than to consumers attending the local market, is removed, a larger amount of salt will be produced and the price will come down to such an extent as to make the licensed warehouseman to buy at a price which will give him a profit.

Sir, I am sceptical of that happening, and I hope that, on the figures that I have given, the House will agree with me that I am not unreasonably sceptical. But although I am sceptical I am prepared to hazard that an experiment should be made. There are other difficulties, particularly in regard to smuggling. Once you increase the area in which salt produced by the village producer can be sold, you are up against the danger of smuggling and that is a point which will have to be considered.

Khan Bahadur Maulvi Azizul Haque suggested that the State Industrial Board might be asked to examine this question. Sir, I have no objection to that. I gladly accept that proposition. But I hope that if the State Industrial Board agrees with me, the House will also agree with me; and that members will not seek to maintain that the facts and figures on which I have relied are wrong. Sir, I think that I have said sufficient to indicate that Government are not antagonistic to the development of the salt industry in Bengal. I have told you why I am sceptical. I have not hidden anything from the House. Still, if I am proved to be wrong there will be nobody more happy than myself. And with this assurance, I hope Mr. N. K. Basu will not press his motion.

Mr. NARENDRA KUMAR BASU: On a point of information, Sir. The Hon'ble Member has just stated that he is agreeable to the State Industrial Board investigating the question. Will he agree to the carrying out of investigations here and provide the necessary funds?

The Hon'ble Mr. J. A. WOODHEAD: I am afraid, Sir, that matter does not rest with me.

Mr. NARENDRA KUMAR BASU: Sir, in view of the assurance given by the Hon'ble Member I beg leave of the House to withdraw my motion.

The motion was then by leave of the House withdrawn.

Maulvi SYED MAJID BAKSH: Mr. President, Sir, I beg to move that the demand of Rs. 43,600 under the head "6A—Superintendence—Administrative establishment—Pay of officers" be reduced by Re. 1.

Sir, instead of having the nor' westers to blow upon the head of the Hon'ble Member I would like to blow a zephyr on his head and would like to throw out a suggestion that would enable him to replenish the depleted treasury once more and give him an opportunity of finding out the way to replenish the drained purses (*sic.*) of the Government and will act as a fillip in the way I am going to suggest. My proposal in this case is that it is desirable to impose an excise duty upon

cigarettes, cigars, and dry tobacco and such other preparations—for example *biri*—and any other thing which the people use, such as preparations of tobacco used in snuffs and chewing with betels. I make an exception in the case of tobacco that is smoked in *hookas* by the peasantry, because I do not wish to tax the peasantry so far as their smoking is concerned. You will also find that snuff is used in large quantities nowadays. If you tax it, I dare say it will give a decent income. You will find that in Calcutta and other places the habit of using tobacco in some form or other is spreading. This is a luxury, and those who indulge in such luxuries ought to pay a little to the coffers of Government. Sir, up to this time tobacco has not been brought into the category of excisable articles, and by this proposal I wish to bring in tobacco into the category of excisable articles. You include liquor in this category because it gives pleasure and intoxicate those who indulge in it. It is intoxication that gives pleasure, and for the sake of that pleasure they ought to pay somethig to the treasury. The same argument applies to cigarettes and cigars and other forms of tobacco. If you take statistics you will find that at present *biris* are used in extensive quantities. Therefore, if you impose a very small tax on them it will not be a great hardship on those who smoke them, but it will prove to be a profitable source of income to the treasury. As I have already stated, I include in this category, without going into details, all forms of tobacco that are being extensively used, except the one that is used by poor villagers by way of refreshment. I think I have said enough, and I hope other speeches will be made on the subject and therefore I do not like to take the time of the Council.

Maulvi TAMIZUDDIN KHAN: Mr. President, Sir, I am sorry I have to oppose this motion of my friend Maulvi Syed Majid Baksh. I think Maulvi Syed Majid Baksh has never smoked cigar or cigarette in his life, nor has he taken a *pan*, for, otherwise, he would not have thought of taxing these small luxuries of the poor villagers for whom he seems to evince so great sympathy in other respects. The indigenous cigarette industry is still in its infant stage, and any imposition of duty on that industry will surely kill that industry in its infancy. Similarly to me it is unthinkable that the poor *biri* makers or smokers should be taxed. *Biris* are also used in extensive quantities, and if anything should be done it should be done to encourage that industry and not kill it in the way proposed by Maulvi Syed Majid Baksh, *viz.*, by imposing a tax on it. The suggested tax on other preparations of tobacco which are consumed by the poor people in the villages will also be very objectionable on the ground I have stated, and I do not think that Maulvi Syed Majid Baksh has brought this proposal in all seriousness; I believe he has brought it only as a joke.

With these words I oppose the motion.

Mr. H. R. NORTON: 12 months ago in this very house I suggested taxes which the hon'ble member has to-day proposed. I had the Indian side of the house against me and it is amazing that an Indian member of this house should propose extra taxation upon the poorer classes of Indians. That was what I was told when I proposed it originally. We have heard from the Hon'ble Member for Excise of the decrease in this year's budget. I remember him calling a Standing Committee during the early part of the last year when I made a proposal to him that licenses should be auctioned and the excise duty on the country liquor should be reduced. From the report issued this year I see from the auctioned licenses that the Government has gained a profit but they have lost on the reduction of duty on country spirit. My contention with reference to this is that the duty, though it has been reduced, the retail prices of the merchants have not been reduced. Consequently a large sale of country spirits in competition with the illicit distillation has not been achieved. Government should, at the reduction of the excise duty on country liquor, control the retail prices and they will find that in spite of any keen competition with illicit distillation they will still be able to do away with the large staff they have to-day for watching the illicit distillation and can make a good retrenchment in the expenditure of this department. I support the hon'ble member's proposal for increased taxation and I do so on the same ground as I did last year because the very small tax placed on these things will produce a very good revenue for the Government of Bengal especially one, namely, the tax on mineral water. Government is at present getting a small income of about 3 or 4 lakhs of rupees on local excise duty on imported whiskies. My contention is to remove that and tax mineral waters; register every factory in Bengal, let the manufacturers of mineral water send in their report to Government monthly of their outturn and let Government tax it at 1 anna per dozen. Not only the whisky drinkers will be taxed but also the teetotallers. There must be enormous quantity of this sold annually and a very small tax will not be objected to by any of them but it will bring in a wonderful revenue for the Excise Department.

With regard to cigars and cigarettes, I also mentioned these last year but this is unfortunately too late for the Government of Bengal to tackle. The Central Government have secured that little bit of extra tax for themselves in this year's budget by putting excise duty on cigars and imported tobacco. Leaving out these two items I support the hon'ble member's amendment.

The Hon'ble Mr. J. A. WOODHEAD: There are only two minutes left, so I must be short.

Sir, it is unusual for a cut motion to be moved with the object of asking Government to impose new taxes, but I take it that Maulvi Sahib's

intention is only to raise a discussion, particularly on the question of the taxation of tobacco. The taxation of tobacco has often been discussed in India, particularly in view of the fact that in practically all countries in the West it is a fruitful source of revenue. It may be a source of considerable revenue in India some day. Naturally, Sir, I cannot commit myself one way or the other, but I would point out one difficulty in regard to an excise duty on tobacco, and that is the administrative difficulties of an excise duty on *biris* arising out of the fact that the manufacture of *biris* is extremely unorganised. An alternative to an excise duty is a system of vend fees, and I believe a scheme on these lines has been introduced in Bombay, but what revenue they have obtained, I am not quite certain.

(The Hon'ble Member having reached the time limit fixed for the discussion of the demand, resumed his seat.)

Maulvi Syed Majid Baksh's motion was then put and lost.

The main demand was then put and agreed to.

DEMAND FOR GRANT.

7.—Stamps.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,92,000 be granted for expenditure under the head "7.—Stamps."

Motions for reduction.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 6,379 under the head "7A—Stamps—Superintendence—District establishment—Pay of officers" be reduced by Rs. 100 [fall of stamp revenue is coincident with the passing of the Bengal Tenancy (Amendment) Act, 1928, and is a direct result of some of its injudicious provisions].

It must be well known by this time to the Hon'ble Finance Member that compared with the previous figures, the stamp revenue has fallen to a very low extent. One of the reasons I would suggest is the dearth of registration of documents, on the ground that formerly the person who either purchased the tenancy or the *raiyat* when he wanted a lease had not pay a heavy sum by way of landlords' fees. By an amendment of the Bengal Tenancy Act, 1928, a provision was introduced that in these transactions a heavy amount of landlords' fees has to be paid by the vendees. Therefore it is natural that these

transactions for the sale or purchase of land fell to a very great extent. In the very next year, in 1930, a question was asked in this very Council as to the comparative figure for the sale of stamps previous to the passing of the Bengal Tenancy Act, and it was found that it had fallen so low as to be one-third or one-half of what it was before. I suggest that the Government should take steps to amend the Bengal Tenancy Act in such a way that landlords' fees are abolished, so that the transactions may come up to the former level. I would like to hear what the Hon'ble Member has to say in respect of this. I think in this particular case the Hon'ble Member might investigate the matter and find out what he can do in the matter. We are suffering from a loss of revenue, and very many beneficial acts are being held up for want of revenue. It was suggested that on account of the economic depression these transactions had become rare. That proves my case with greater strength, and I therefore suggest to the Hon'ble Member that if the economic depression continues, a further brake should not be put on these transactions by additional taxation in the shape of increased payment. If these impediments are removed, I believe there will be more transactions, and more revenue will come into the Government coffers.

The Hon'ble Mr. J. A. WOODHEAD: I am afraid I must oppose the motion. I am not quite certain what the hon'ble member's intentions are, whether he is really so anxious about our revenues, or whether he wishes to draw attention to the fact that these transfer fees should be abolished. But, Sir, I have not been able to discover that the fall in the stamp revenue, which has certainly been very great, is due to the passing of the Bengal Tenancy Act. I oppose the motion.

The motion was put and lost.

The main demand was then put and agreed to.

DEMAND FOR GRANTS.

8—Forest, 8A—Forest—Capital outlay charged to revenue, and 52A—Forest—Capital outlay not charged to revenue.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 7,87,000 be granted for expenditure under the head "8—Forest, 8A—Forest—Capital outlay charged to revenue" and "52—Forest—Capital outlay not charged to revenue."

Sir, in moving this motion I must make a few observations as regards the position of the Forest Department generally. It will be noticed

at the very outset that the demand for the year 1934-35 is Rs. 7,87,000 only against Rs. 8,35,000 for the current year. There is thus a decrease in expenditure by Rs. 48,000. As compared with previous years it will be noticed that the demand for the coming year is lower than those for the years 1932-33 and 1931-32 by Rs. 1 lakh 9 thousand and Rs. 2 lakhs 48 thousand respectively and no less than Rs. 3 lakhs 57 thousand below the demand for the year 1930-31, the year during which the present trade depression first set in. Although the Forest Department is looked upon generally as a remunerative and revenue producing department, the reason for this continued and steady decrease in expenditure is, as well known to the House, two-fold, *viz.*, (1) the general financial situation of the Province, and (2) the constant deterioration in Forest revenue in particular due to continued slump in timber market. There is no doubt that such economy particularly in a quasi-commercial department like the Forest Department must necessarily have a very adverse effect on the prospects of earning increased revenue when normal times return, but unfortunately there is no help for it; we are compelled to restrict expenditure even below the real requirements of the department. From the beginning of the year strict watch was kept over details of expenditure and most rigid economy observed in all directions, and in fact, savings to the extent of about Rs. 1 lakh 90 thousand were surrendered during the current year.

Well, Sir, as it is a quasi-commercial department the effect of the present depression in trade and commerce to this department, as I shall presently show, has been most disastrous. The gross revenue of the department rose from Rs. 16 lakhs in 1919-20 to Rs. 39 lakhs in 1925-26 and Rs 31 lakhs in 1929-30, the year immediately preceding the onset of the present trade depression, while the surplus of revenue over expenditure rose from Rs. 8 lakhs in 1919-20 to Rs. 16 lakhs in 1925-26 and about Rs. 14 lakhs in 1929-30. Even in 1930-31 when the country was under the grip of a severe economic distress and world-wide trade depression, this department yielded a gross revenue of Rs. 23½ lakhs and a net surplus of Rs. 6 lakhs 47 thousand. But owing to the persistent nature of the depression the receipts from the department came down to Rs. 17 lakhs in 1931-32 and Rs. 15 lakhs 11 thousand in 1932-33. On the assumption that trade conditions will somewhat improve, the current year's estimate of Forest receipts was fixed at Rs 15·50 lakhs, but, unfortunately, it is now anticipated that the actuals will be lower than this figure by no less than Rs. 83 thousand and in the revised estimate the receipts have been placed at Rs. 14·67 lakhs, the lowest figure ever reached. This fall in revenue has, however, been more than set off by a reduction in expenditrue; it is now anticipated that the total expenditure will be Rs. 14·61 lakhs only and it is a matter of satisfaction that the net result as regards the present year is that we expect to close the year with a surplus of Rs. 0

thousand instead of a deficit of Rs. 82 thousand as originally estimated. Though there are some indications of improvement in trade conditions, so far as the Forest Department are concerned, the indications are not such as would warrant us taking a very optimistic view of the revenue prospects during the coming year, for, Forest revenue depends, as I explained to this House last year, on timber market which is again largely conditioned by the purchasing power of people, and unless this purchasing power improves considerably through an increase in general price level, it is certain that the receipts from Forest cannot be expected to return to figures which before 1930 were looked upon as normal. We can, however, fairly expect that there will be some increase in revenue during the coming year. This is evident from the fact that during the current year we have had to revoke a sum of Rs. 15 thousand and odd from the surrenders of savings made in order to meet a demand for Forest produce in the Buxa Division which could not be foreseen. There is another proposal for revocation of a sum of money for a similar purpose in the same Division. The receipts from this department for the coming year have accordingly been placed at Rs. 15·26 lakhs, whereas the estimated expenditure for the coming year has been placed at Rs. 14·77 lakhs (including voted and non-voted expenditure) which exceeds current year's revised estimate by Rs. 16 thousand only. This increase in expenditure during the coming year is, as I shall show later, mainly due to a new provision for working the Bhowal Forests in the districts of Dacca and Mymensingh, which have been placed under Government management by the Court of Wards with effect from the 2nd December, 1933. It is expected that the net result of the coming year will be a net surplus of half a lakh of rupees.

Sir, it is sometimes urged that this department should be judged from a purely commercial point of view and that it should be remunerative and productive, but it is often overlooked that, like every commercial department, the Forest Department is subject to periods of slump when it must suffer loss but the period of slump cannot go on for ever. There is no doubt that the Forest Department have been facing such a period of slump since 1929-30, but it must be said to the credit of the department that in these days of direst economic distres and world-wide trade depression the department have been able at least to avoid loss. Moreover, it is doubtful whether this department should be judged from a purely commercial point of view. I think the conservation of the natural resources of the country, *viz.*, Forests, is a consideration which should outweigh all profit-making considerations.

Sir, it is unfortunate that due to abnormal conditions we have had to reduce expenditure even below the normal requirements of the department. The estimate of expenditure for the next year under "A—Conservancy—Maintenance and Regeneration" shows an increase of

Rs. 14 thousand over the revised estimate for 1933-34 but includes a provision for Rs. 41 thousand for working in the Bhowal Forests of which mention has been made already. The expenditure on account of Bhowal Forests will be recovered from the receipts of those forests, but if there is any loss sustained by Government in managing these forests, the Court of Wards is liable to make good the loss at the close of the year under the terms of agreement entered into by it. The estimate under "B—Establishment" for the next year shows a decrease in expenditure by Rs. 53 thousand over the budget estimate for the year 1933-34. The savings under "B—Establishment" for the year 1934-35 would have been much larger but for a new provision of Rs. 15 thousand and odd for the staff necessary for working the Bhowal forests. The savings are, however, due mainly to one of the two posts of Conservators of Forests having been temporarily kept in abeyance and other measures of retrenchment.

The demand under head "8A—Forests—Capital outlay—Charged to revenue" includes a provision of funds for improvements to communications and buildings. These improvements are essentially necessary for the working of the department.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: Then, so far as buildings are concerned, it is not possible to dispense with the construction of buildings especially in unhealthy localities where the staff will not be able to work unless properly housed. According to plans drawn up a sum of Rs. 70 to 80 thousand was actually required for the next year but it has been reduced to Rs. 15 thousand only plus Rs. 7,560 for capital outlay in the Bhowal Forests. As a matter of fact the estimated expenditure for the coming year before presenting to this House has been subject to most careful scrutiny and represents the bare minimum requirements of the department leaving no scope for any further reduction.

As regards the Bhowal Forests, I may add that the provision that has been made for buildings costing something like 7 to 8 thousand may eventually be found, according to the proposal that is going on, by the estate itself. If that proposal matures, the result would be an addition to the surplus that we visualise in the coming year's working. I may also add how necessary it is in the public interest to preserve our forests which supply wood to the vast population inhabiting the Dacca Division. Therefore, it is in the public interest that these forests have got to be preserved.

With these words I commend my motion to the acceptance of the House.

Khan Bahadur MUHAMMAD ABDUL MOMIN: On a point of information, Sir. How many minutes are left for discussion of this subject?

Mr. PRESIDENT: I understand only 40 minutes have been allotted to this subject.

Khan Bahadur MUHAMMAD ABDUL MOMIN: So there are only 10 minutes left. In that case may I request you, Sir, that considering that we have only 10 minutes left, the most important item in the agenda, *viz.*, No. 138, about the feeding of tiger cubs, be taken out of its turn under the recently amended Standing Orders and discussed now? (Laughter.)

Mr. PRESIDENT: The amendments to Standing Orders I am afraid cannot prevent cruelty to the tiger cubs. (Laughter.)

Motions for reduction.

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 1,24,000 under the head "8A—Forest Conservancy, Maintenance, Regeneration" be reduced by Rs. 100 (Forest taxes).

He spoke in Bengali in support of his motion.

(While in the course of his speech he was referring to *kheddah* operations, Khan Bahadur Muhammad Abdul Momin rose to the following point of order.)

Khan Bahadur MUHAMMAD ABDUL MOMIN: Has the *kheddah* operation anything to do with Forest taxes, Sir?

Mr. PRESIDENT: Is it suggested that the wild elephants should not be bound down for peace? (Laughter.)

The following is a translation of his speech:—

I propose a cut of Rs. 100 only out of Rs. 1,24,000 representing the demand of the Forest Department with the object of drawing Government's attention to the Forest tax.

The rate of taxes that has at present been fixed by the Forest Department is too high. Owing to the economic distress in the country, the price of every variety of commodity has gone down. But Government have, on the contrary, begun to raise the rate of taxes, as also, the price of articles sold by them, *e.g.*, postal charges on stamps, stationery, *etc.*, with the result that Government have to suffer heavily from the effects of diminishing return. In consequence of this, it is now rumoured, the Government of India are contemplating a reduction in the postal

charges. The Government of Bengal should also follow suit. Formerly the Forest Department used to issue only one kind of pass for the domestic use of all sorts of forest products on a charge of from Re. 1 to Rs. 2 only. But this system has now been discontinued and the system of issuing separate passes for separate descriptions of forest products has been introduced in its place. Unable to pay for so many different passes the people in general are resorting to such tactics as taking out only one pass for one kind of forest produce but paying no heed to the restrictions of the pass and on the strength of one pass alone they make use of all the different descriptions of forest products. This has given rise to numerous prosecutions undertaken by the Forest administration with the result that the expenses of the Forest Department have increased out of all proportions side by side with the heavy fall in their income. Some years ago *muli* bamboos growing on the hills of Chittagong used to be exported in large quantities to Titagarh for the manufacture of paper. But the rate of tax fixed on this variety of bamboos having been increased such exports have been practically stopped and this has told seriously on the income of the Forest Department as well as the Irrigation Department. I, therefore, beg to suggest that Government should reduce the rate of Forest taxes

I beg to mention, in this connection, that in many hills in Bengal the wild elephants are a source of menace to the lives and properties of the people inhabiting those hilly tracts. But Government do not allow the people to cope with the menace by erecting stockades for catching wild elephants, nor do they themselves catch elephants by means of *kheddas*. The Forest Act allows the shooting of rogue elephants but does not allow the shooting of any other elephant. This prevents people from dealing with rogue elephants. In cases where Government accord their permission to the erection of stockades by private individuals, the prohibitive rate of royalty amounting to Rs. 200 per elephant charged by them puts a stop to private enterprise.

I, therefore, propose that Government should either grant permission on reasonable conditions for the erection of stockades or they should consent to the killing of elephants when need arises.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: Mr. President, Sir, the mover of this motion started by telling the House harrowing tales of what the increase in the price of postage stamps and things of that kind that have been brought about. I am afraid I have nothing to do with the enhancement in the price of the postage stamps and so forth. For the present moment I am in charge of the Forest Department, which has nothing to do with the price of postage stamps.

The next thing that I was able to gather from him is the complaint that formerly the practice used to be that each house-holder had the

privilege of taking out a license which entitled the householder and his family to go into the forest and get for himself and for the other members of his family a few odds and ends by way of fuel, etc. Now, Sir, he complains that this rule has been done away with and each separate item is now charged or rather a license has to be taken out for each particular produce which one wishes to take out of the forest. The question is: how to increase the revenue of the department? The mover has stated that if the former rules were adhered to it would give better evidence of revenue. I will certainly have the matter enquired into and if the former practice is likely to yield better revenue, there is no reason why this department will not go back to the former practice. At the same time, as I have said, we cannot afford to let any opportunity slip away which might give us enhanced revenue.

The other point is about the *mulı* bamboos and for the last two years the favourite complaint of the Haji Sahib against the Forest Department has been the increase in the tax on *mulı* bamboos. Unfortunately his motion was not during the last occasion. I should like to spare a few minutes which might give Mr. N. K. Basu an opportunity of saying something on the subject.

(The time-limit for the Forest Department having been reached the Hon'ble Member resumed his seat.)

The motion being put, a division was called.

Mr. PRESIDENT: What is the meaning of this division?

Mr. NARENDRA KUMAR BASU: To show, Sir, that the time for the discussion of this subject is much too short.

Mr. PRESIDENT: Or to emphasise that the Hon'ble Nawab Bahadur cannot shun his responsibility of keeping the wild elephants within reasonable bounds? (Laughter.)

The motion being put, a division was taken with the following result:—

AYES.

Bakah, Maulvi Syed Majid.
Basarji, Mr P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Khan Bahadur Maulvi Allmuzzamma.
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Abdul Ghani.
Chowdhury, Haji Badi Ahmed.
Ghose, Dr. Amulya Ratan.
Guha, Babu Profulla Kumar.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hossain, Nawab Musharraf, Khan Bahadur.
Hossain, Maulvi Mahammad.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Mamin, Khan Bahadur Mahammad Abdul.
Qassem, Maulvi Abul.
Rahman, Mr. A. F.
Saadatullah, Maulvi Mahammad.
Sen Gupta, Dr. Naresh Chandra.
Ukil, Maulvi Abdul Wahid.

NOES.

Ahmed, Khan Bahadur Maulvi Emadeddin.
Armstrong, Mr. W. L.
Ashworth, Mr. C. G.
Barman, Babu Promhari.
Bottomley, Mr. J. M.
Bura, Mr. H. N.
Carry, Mr. T. A.
Dutt, Mr. B. S.
Edgley, Mr. R. G. A.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. S. N.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dhanbari.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Kabo, Mr. P. N.
Hogg, Mr. G. P.
Kasem, Maulvi Abul.
Khan, Mr. Nazar Rahaman.
Martin, Mr. C. M.
Mitter, Mr. S. C.
Mullick, Mr. Mahendra Behary.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nicholl, Mr. C. K.
Rahaman, Mr. A. F. M. Abdar-.
Roy, Babu Amulyadhan.
Reid, the Hon'ble Mr. R. N.
Rose, Mr. J. C.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Sailesswar Singh.
Roy, Mr. Sarat Kumar.
Sarker, Rai Bahadur Rohoti Mohan.
Sen, Mr. S. N.
Steven, Mr. J. W. N.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

Mr. PRESIDENT: (Before declaring the result of the division) I am afraid Mr. Basu's masterly opposition tactics have failed to compel the Hon'ble Nawab Bahadur to bind down the wild tusker to be of good behaviour. (Laughter.)

The Ayes being 21 and the Noes 38 the motion was lost.

DEMAND FOR GRANT.

9—Registration.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 17,16,000 be granted for expenditure under the head "9 Registration."

Sir, the total demand for the year 1934-35 is Rs. 17,16,000 against Rs. 18,27,000 for the current year. There is thus a decrease of Rs. 1,11,000 in the demand for the next year. A total saving of Rs. 81,000 has been surrendered out of the current year's grant.

The reduced demand has been made possible by measures of retrenchment and the rigid economy observed in all directions. Transfers of Sub-Registrars have been made with care and tours have been curtailed. A large saving has been effected by employing extra *muharrirs* sparingly. The system of provisional transfer of *muharrirs* from one office to another for clearing off arrears to which reference was made last year has proved successful and is responsible for a part of the savings. Registration offices have been abolished from time to time during the last three years and during the current year as many as 15 offices have been closed down as a result of the recommendations

f the Retrenchment Committee. Government are aware that aboli-ion of sub-registry offices is an unpopular step and are conscious of he inconvenience it causes to the public, and they have not, there-ore, been influenced purely by consideration of profit and loss in rriving at a decision on the recommendation of the Retrenchment 'ommittee. That is the reason why they have not been able to abolish ffices to the extent recommended by the Committee.

Registration fees on documents of values not exceeding Rs. 250 'hich had been left unaltered at the previous revision have lately been ncreased by 50 per cent., and this is expected to bring in some addi-ional income. As a result of this and of the economy observed, the epartment will be in a position to work at a fair margin of profit in pite of the fall in registration. But it should be remembered that he normal activities of the department have been considerably cur-ailed and much-needed improvements have been thrown into back-round. The housing of offices, preservation of records, extension of ecord-rooms are among the problems which are presenting increasing ifficulties. Offices are held in miserable huts, records are deterioiat-ng for want of money to rebind them, and some of the record-rooms are opelessly congested. The special grant of Rs. 10,000 sanctioned or the current year for book-binding and furniture has been of some elp, but even this is a mere drop in the ocean as innumerable regis-ers are in a hopelessly bad condition in every recording-room. Im-rovement on a large scale in any of these directions is out of the uestion at a time when every nerve has got to be strained to save a arthing wherever possible. We must, therefore, wait for better days o enable the department to return to its normal activities, carrying on n the mean while as best as possible with the available resources.

Motion for reduction or refusal.

Babu KISHORI MOHAN CHAUDHURI: Mr. President, Sir, I eg to move that the demand of Rs. 23,270 under the head "9-A—tegistration—Superintendence—Pay of officers" be reduced by Rs. 100.

Sir, I have brought forward this proposal with a view to impress pon the department the necessity of abolishing the post of the nspector-General of Registration. Two Retrenchment Committees, ne after another, unanimously recommended that this post is not absolutely necessary and that it can safely be abolished. There is a suggestion that the Commissioner of Excise and Salt can take over charge f this department in addition to his own duties. This is a question hich involves more than Rs. 20,000 of recurring expenditure, and if his post can be abolished I think many of the problems, which require unds for solution, can be met with, and the Hon'ble Minister in

charge will be able to devote this sum for improvement in other respects. In the book supplied to the members of the House showing the decisions of Government upon the recommendations of the last Retrenchment Committee it has been said that the post of the Inspector-General of Registration cannot be amalgamated with that of the Commissioner of Excise and Salt at present. We do not know, Sir, what "at present" means. If there is any special difficulty at the present moment in abolishing the post, it should have been said when it might be done and why it is not possible at present. The difficulties are not explained. The Retrenchment Committees considered the question in detail and came to the conclusion that as the duties of the Inspector-General of Registration are more or less of a routine character, they could be safely managed by the Inspectors at different centres and the Commissioner of Excise and Salt could safely take over charge of the same. We cannot understand why this deliberate opinion of the last Retrenchment Committee cannot be accepted. There is always some partiality in regard to the highly-paid posts of various departments. I do not know whether this is due to the sympathy of the bureaucracy, and if encouragement to persons liked by the bureaucracy is required some other rewards may be given; but the real need of the people ought to be looked into. Similar attempts were made to reduce the number of Executive Council Members and the Ministers but we failed. Whatever economy is possible should be effected. But that has been done not in respect of the highly-paid posts but in other respects. It has been amply proved that not only in this particular case but in other cases as well much economy is possible by reducing the number of highly-paid posts, but in that direction nothing has been done. So long as the money came from the Government of India, either by way of loans or as advances, nothing could induce the Government of Bengal to alter the character of the expensive administration, but now that half the jute-tax has been assigned to Bengal the Government of India would not be so willing to advance any money. So, it is absolutely necessary that the Government should economise as much as possible. The Hon'ble Mr. Woodhead suggested in his introductory speech that there was no immediate chance of relief and consequently no chance of improvement in the finances of the Government of Bengal. So, the strictest economy should be enforced. Therefore, I think, this proposal of mine should be accepted.

Adjournment.

The Council was then adjourned till 3 p.m. on Wednesday, the 14th March, 1934, at the Council House.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 14th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja SIR MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 103 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Narail Co-operative Bank, Jessore.

***113. Mr. P. BANERJI:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Co-operative) Department be pleased to state whether a memorial, dated the 12th December, 1933, has been received from the villagers of the Narail police-station through the Registrar, Co-operative Societies, Bengal, complaining seriously against the Secretary, Co-operative Bank, Narail, Jessore?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what were the contents of the memorial; and

(*ii*) what action, if any, Government have taken or intend to take?

(*c*) If no action has been taken or is intended to be taken what are the reasons?

MEMBER in charge of AGRICULTURE and INDUSTRIES (CO-OPERATIVE) DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (*a*) No.

(*b*) and (*c*) Do not arise.

Piece system in the Bengal Government Press.

*114. **Mr. K. C. RAY CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Finance Department aware—

(*i*) that the piece system was introduced in the Bengal Government Press in 1888;

(*ii*) that types were supplied to the compositors in the Bengal Government Press by separate men called the suppliers;

(*iii*) that at the Government of India Press, Calcutta, at 8, Hastings Street, types are supplied to the compositors by such suppliers; and

(*iv*) that since July, 1933, the said practice has been abolished in the Bengal Government Press and the compositors have had themselves to bring the necessary types from the store?

(*b*) If the answer to (*a*)(*iv*) is in the affirmative, have the Government taken into consideration the fact—

(*i*) that some time is lost by adopting this method of work by the compositors; and

(*ii*) that their income and pensions are affected thereby?

(*c*) Will the Hon'ble Member be pleased to state the reasons for adopting the procedure referred to in (*a*)(*iv*)?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*)(*i*) The piece system was introduced in the Bengal Government Press in 1873.

(*ii*) and (*iii*) Yes.

(*iv*) Since July, 1933, the said practice has been abolished, but it is not the case that the compositors have themselves to bring the necessary type from the store. The type is brought by distributors.

(*b*) Does not arise.

(*c*) Reasons of economy.

Section-holders in the Government of India Press.

*115. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** Is the Hon'ble Member in charge of the Finance Department aware—

(*i*) that on the strength of the Government of India Resolution No. A.31, dated the 15th July, 1920, all the employees including the piece-workers and the salaried hands in the Government of India Press got an increment;

(*ii*) that in 1929 the grade of pay for the section-holders in the Government of India Press was enhanced from Rs. 100 to Rs. 150 and Rs. 150 to Rs. 175; and

(*iii*) that the grade of pay for the section-holders in the Bengal Government Press was made same with the enhanced rate in the Government of India Press in 1929?

The Hon'ble Mr. J. A. WOODHEAD: (*i*) Yes.

(*ii*) With effect from 1st July, 1928, the Government of India raised the grade of pay for section-holders from Rs. 100—5—150 to Rs. 125—5—175.

(*iii*) Yes.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Foreign liquor shops in Calcutta.

53. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Minister in charge of the Revenue (Excise) Department be pleased to state how many new foreign liquor shops under the fixed-fee system have been sanctioned in Calcutta for the year 1934-35?

(*b*) Will the Hon'ble Minister be pleased to state whether there are similar shops within a radius of one mile from the new shops referred to in (*a*)?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the names of such new shops with their distances from the old ones?

(*d*) Is it not a fact that the current year has, so far, shown the minimum sale of potable foreign liquor in retail shops with a maximum number of licenses sanctioned for the last five years?

(*e*) Is it a fact—

(*i*) that a foreign liquor shop has been sanctioned at 4, Lower Circular Road; and

(*ii*) that four such shops exist in the close neighbourhood?

(*f*) Is it a fact that the Chaulpatty country liquor shop has been shifted to a place almost on the main road in the vicinity of two mosques, a Kali temple and two respectable educational institutions?

MINISTER in charge of REVENUE (EXCISE) DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) 4 Foreign Liquo single "off"; 3 Foreign Liquor "off" licenses to firms already holding trade licenses. Total 7.

(*b*) Yes.

(*c*) A statement giving the names of the new shops with their distances from the old ones is laid on the table.

(*d*) Yes.

(*e*) (*i*) Yes.

(*ii*) There are four such shops within the radius of a mile.

(*f*) A country spirit shop has been transferred from 18-1, Chaulpatty Road, to No. 1, of the same road. The two mosques referred to in the question are situated at distances of over 300 and 200 yards. The Kali temple is at a distance of about 250 yards and is on the other side of a canal. Of the two educational institutions referred to, one is a Corporation Free Primary School which is situated inside a lane and on another road at a distance of about 250 yards, while the other is on the Balliaghatta Main Road at a distance of over 300 yards. The mosques, temple and schools are not visible from the country spirit shop.

Statement referred to in reply to unstarred question No. 53(c).

Serial No.	Address of the new licenses sanctioned.	Address of the old shops within a radius of one mile of the new license sanctioned.	Respective distance between the two sites mentioned in columns 2 and 3.
1	2	3	4
	Foreign Liquor "off" single.		
1	8, Clyde Row ..	38, Munshiganj Road ..	¼ mile away.
2	46-3, Diamond Harbour Road.	17/2, Burdwan Road ..	¼ mile.
3	22, Narkeldanga Main Road.	64/3, Mechuabazar Street	1 mile.
4	4, Lower Circular Road ..	60/c, Chowringhee Road ..	¼ mile.
		41, Theatre Road ..	3½ furlongs.
		46, New Park Street ..	6½ furlongs.
		3, Store Road ..	5½ furlongs.
	Foreign Liquor "off" to firms already holding Trade Licenses.		
5	2, Royal Exchange ..	The list of 31 shops is appended hereto.	All within one mile.
6	5 and 6, Fancy Lane.		
7	12, Grant Lane.		

List of foreign liquor "off" licenses within one mile from 2, Royal Exchange, 5 and 6, Fancy Lane, and 12, Grant Lane.

COMBINED. (TRADE WITH PUBLIC "OFF.")

1. 1/3, Bonfields Lane.
2. 123, Canning Street.
3. 219, Old China Bazar.
4. 2, Old Court House Street.
5. 6, Lyons Range.
6. 23, Lal Bazar Street.
7. 82, Bow Bazar Street.
8. 5, Mission Row.
9. 5, Dalhousie Square.
10. 5, Dalhousie Square.
11. 7, Old Court House Street.
12. 4, Fairlie Place.
13. 12/3, Hare Street.
14. 1, Garstin Place.
15. 8, Waterloo Street.
16. 59, Dharamtollah Street.
17. 5, Dharamtollah Street.
18. 9/2, Chowringhee.
19. 12, Lindsay Street.
20. 11, Lindsay Street.
21. 4, Lindsay Street.
22. 8, Lindsay Street.

SINGLE "OFF."

23. 208, Harrison Road.
24. 16, Chattawala Gully.
25. 5, Ezra Street.
26. 6, Lower Chitpore Road.
27. 201-202, Chandni Chawk.
28. 29/1, Bentinck Street.
29. 21, Old Court House Street.
30. 10, Government Place.
31. 26, Grant Street.

Rai Bahadur Dr. HARIDHAN DUTT: Will the Hon'ble Minister be pleased to state whether in his opinion the situation of a country liquor shop within 300 and 200 yards from the mosque and 250 from the Kali's temple and 250 from the Corporation Primary Schools is a suitable site for a country liquor shop?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The site has been selected by the Calcutta Licensing Board. Government have no responsibility in the matter.

Rai Bahadur Dr. HARIDHAN DUTT: Are we to understand that the Licensing Board is such a mighty body that Government cannot veto it?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There is a provision that Government can upset the decision; but as a rule Government are reluctant to do so.

BUDGET GRANTS OF THE GOVERNMENT OF BENGAL FOR 1934-35.

DEMAND FOR GRANTS.

9.—Registration.

Motion for reduction or refusal.

Babu Kishori Mohan Chaudhuri who was in possession of the House the day before resumed his speech.

Babu KISHORI MOHAN CHAUDHURI: Sir, I have already stated yesterday the reasons for my motion. The Retrenchment Committee who considered the matter was not satisfied with the continuation of the post and the previous Committee did recommend its abolition. Government have not given us any reason why the post of Inspector-General of Registration should be retained in spite of the recommendation of both the Retrenchment Committees. The Committee considered that the personal assistant to the Inspector-General would be able to conduct a research of the work of the department and that, therefore, a recurring expenditure of Rs. 20,000 need not be incurred. But no reason was given why that was not accepted by Government even for the satisfaction of the public. Sir, the Committee was controlled by a very able man, Mr. Swan, who is going to officiate in Mr. Woodhead's place as their head; and when they unanimously have recommended the abolition of the post, I do not see any reason why that post should be retained.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I rise to oppose the motion. I know the difficulty of a member who is going to reply to my friend, Kishori Babu, as he could not be heard. I hope Kishori Babu will pardon me if I sometimes misquote him.

Sir, the question was discussed last year in this very House and I rose to oppose a motion like this. There has been so much talk on this subject that I do not believe that I can add anything new to my arguments of last year, and I hope I shall be pardoned if I repeat some of them now.

When the Retrenchment Committee considered the question there were two members of the provincial service working in the department—one as Inspector-General and the other as his Personal Assistant. At that time the Inspector-General was out of Calcutta, and in his absence the work was carried on by his Personal Assistant who was a senior grade provincial service man. That was the reason why the Retrenchment Committee considered that that post could easily be abolished. But at the present time we have got only one provincial service man in the department, *viz.*, the Inspector-General of Registration himself, and his Personal Assistant is only a sub-registrar of a junior grade. If a Committee can say now that such a big revenue earning department can be run by the head of another department with the help of this Personal Assistant, then I do not agree with it. Only yesterday when we were discussing the question of excise, we were told by the Hon'ble Minister that he could not reduce the number of Deputy Commissioners because they are already overworked owing to an increase of work. It follows, therefore, that the Commissioner of Excise cannot be given any addition to the work of another department over and above his own duties. The revenue of the Excise Department has fallen from Rs. 2,30,00,000 to Rs. 1,50,00,000, and all his energies should be spent to bring the revenue to its normal figure. If we accept the recommendation of the Retrenchment Committee in this matter, we shall be running a very great risk because I do not think that the Commissioner of Excise will be able to devote even 5 minutes' time to the Registration Department. I believe facts were not properly placed before the Retrenchment Committee. If that were the case, they could not have recommended the abolition of the post.

Sir, in this connection I may be permitted to say that the older statesmen of the House, and that I am the oldest man in this Council, and when we speak those who hear us, I mean the press reporters, ought to understand what we say. If we bring a question before the House for which we have spent our life and even our thought, then we expect that the reporters should try to understand the problem. If they do not, the fault is not ours.

Sir, the question before us is a very simple one. The question is whether we should have any department without a head. I ask,

whether there can be a man without a head? I believe the position is like that. If Kishori Babu would ask us to accept his proposal, then I say that the thing cannot be run without a head. Therefore, I oppose it.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, this question was discussed very fully last year and I would have assumed that there was a definite decision of this House on this question but for the fact that the Government had not come to a decision at that time and the members might have voted on it in the hope that perhaps Government may after all decide to retrench the post of the Inspector-General of Registration. The statement which I read out when I moved for a and for the time being it has been decided that the Inspector-General of Registration's post should not be retrenched. All the arguments that are being put forward by Nawab Sahib just now together with what I said last year fully support the contention that it will be extremely inadvisable to retrench the post of the Inspector-General of Registration. The statement which I read out when I moved for a grant shows that it has been possible to reduce expenditure by Rs. 1,11,000 from the total grant of Rs. 18,00,000 purely by personal attention to savings, and I think that is a very good justification for not abolishing the post of the Inspector-General of Registration. I am convinced that most of these savings could not have been effected but for the personal attention of the Inspector-General of Registration to details which I doubt if the Excise Commissioner would have been able to go into. The expenditure is going to be Rs. 1,00,000 less than that of last year and we have already surrendered Rs. 80,000 to Government out of current year's budget. So I think it will be a very false economy to do away with the post of the Inspector-General of Registration at the present time. I do not think I need take up the time of the Council by going into the details, but I believe I have dealt fully with that question and have shown how the recommendation of the Mukherjee Committee has really been given effect to by the Government by which a large amount has been saved. The Personal Assistant to the Inspector-General of Registration used to be a provincial service man drawing something like Rs. 500, but the present Personal Assistant is only a sub-registrar of about Rs. 150. There were 4 posts of Inspectors, of which 3 have now been retrenched. Certainly this is one of the departments in which there has been considerable retrenchment of superior posts, and no further retrenchment is possible. With these words I oppose the amendment and I hope that the mover will withdraw it. If not, I hope the House will reject it.

Babu Kishori Mohan Chaudhuri's motion was then put and lost.

Maulvi MUHAMMAD HOSSAIN: I beg to move that the demand of Rs. 69,000 under the head "9A—Registration—Superintendence" be reduced by Re. 1.

Sir, in moving it I am in duty bound to disclose some bare truth which I know will not be palatable to many. Every one of us knows how much one is to pay as bribe in order to have a document registered. Unless you pay something to the *peshkar* there is no chance of your documents being registered. I know, Sir, the Hon'ble Minister will confront us by saying how do they refuse to register a document. It is in this way: The *peshkar* would at once say that the document has not been properly written, there is mistake here and there, and he would throw the document to the party; but as soon as you pay him something it is all right. I can cite a number of instances how the illiterate people are being robbed in this way. Suppose you go to have a document registered and there are some females with you who are also party to the document and their presence is required at the time of registration, the *peshkar* would say "Oh, there is no time to-day, your document cannot be registered to-day". Sir, can you imagine the helplessness of the party then who have come from a long distance by incurring some expenses which they find it very difficult to meet. They would then naturally try to influence the *peshkar* and through him other persons concerned and, Sir, as soon as you pay something there is ample time at the disposal of the sub-registrar.

Sir, it is also very often found that one can have a document of a minor executant registered, provided he pays something for the purpose. One can have a document registered of a dead person as if he was not dead at the time of registration, only he is to pay a heavy penalty by way of bribe. In this way I can give thousands of examples of bribery but I would not tire the patience of the House by giving them, but at the same time I should conclude by giving another example of bribery which has become in vogue for the last two or three years, *i.e.*, after the amendment of the Bengal Tenancy Act in 1928. Sir, you can avoid payment of pre-emption if you can only pay certain *per cent.* of it to the *peshkar* and others. I know of many cases where no pre-emption was realised in the case of the transfer of occupancy holding. I know the Hon'ble Minister would at once say that how is it possible, but I can tell him that it is possible and it has become possible, and I brought it to the notice of the authority and they verbally admitted that it was wrong; but up till now no action was taken.

Sir, may I ask the Hon'ble Minister what would be the effect of this transfer—this transfer cannot have the effect of valid transfer though it has been registered. I should at the same time point out that it is not possible to every sub-registrar but it is possible to some

of them, and I should inform the Hon'ble Minister that in the sub-registry office of Muladi in the district of Bakarganj such things happen and the illiterate people without knowing the consequence of this kind of transfer flock there to have their document of transfer of occupancy registered without paying the legal *salami* to the landlord. Sir, there are also some other methods of evading the law best known by which they tempt the people to pay bribe. I know the Hon'ble Minister would at once say that unless you bring a specific case it is impossible to check, as it has been very often said by the high officials and even by Sir C. C. Ghose the other day with regard to a similar motion for reduction of grant in land acquisition.

But Sir, I should at once tell the House that it is very difficult to prove a case of bribery against an officer, sometimes attempts were made but through the influence of higher officers it has proved worse. There was pressure upon the complainant and the witnesses from all directions and the complainant, poor man as he is, could not prove his case and he was hauled up for malicious prosecution and with what results? The sub-registrar now openly indulges in taking illegal gratification and the people of the locality do not dare to raise even a voice of protest against that.

So I say, Sir, that it is very difficult to bring further any specific case against a Government official, however low he may be; no one else other than the complainant wants to incur the displeasure of the Government official, because they have to approach him every now and then. So, Sir, I suggest that unless the matter is taken up in right earnest by the Government, unless there is any departmental check, unless the department voluntarily tries to enquire into the matter, no useful purpose would be served. There is no denying the fact that there is bribery and corruption in this department to a large extent.

Sir, everybody knows that there is corruption and bribery in civil and criminal courts, but for some time past Government is trying to check it to some extent, but no serious attempt has ever been made to check this evil practice in registry offices. Most of the people who deal in sub-registry offices are illiterate and poor, they cannot find out a way to bring any charge against anybody, not to speak of Government officials.

Sir, I have no doubt in my mind that every one in this House is well acquainted with this evil practice and he would support me when I say that it should be stopped immediately.

Maulvi TAMIZUDDIN KHAN: There is no denying the fact that corruption and bribery are very prevalent in the Registration Department. Not only in this department but in various other departments is this corruption prevalent, particularly in the lower ranks of the service. But, there is one thing which strikes me. It is I think very

difficult for Government to prevent bribery and corruption. It is our own character that makes bribery and corruption so very easy. If our national character is not improved, I think no Government can put any check upon this thing——

Reverend B. A. NAG: Is the hon'ble member in order to speak of the national character in this way?

Mr. PRESIDENT: What does it actually mean, according to you?

Reverend B. A. NAG: That we are all of that character. (VOICES: "No, No.")

Mr. PRESIDENT: I do not take it that way. I do not think it was your intention, Maulvi Sahib, to condemn the whole people?

Maulvi TAMIZUDDIN KHAN: That was never my intention, and nobody is more sorry than myself when I contemplate this state of things prevailing in our country. Corruption is prevalent in every country, but so far as our country is concerned——

Mr. PRESIDENT: Perhaps you mean that a certain percentage of those who generally go to these registration offices are sometimes not so strict as they ought to be.

Maulvi TAMIZUDDIN KHAN: Yes. I mean that.

Mr. PRESIDENT: Your expressions were not quite happy—they were rather misleading. I fully believe that when you levelled your charge you had not in view the "national character" although those words unfortunately escaped your lips.

Maulvi TAMIZUDDIN KHAN: I never meant the whole nation, but what I say is that there should be no——

Mr. PRESIDENT: Never mind, go on, don't labour that point any more.

Maulvi TAMIZUDDIN KHAN: But I say there should be no hide and seek so far as this matter is concerned. Had our own people been of the right mentality and of the right strength of character this state of things would not have been possible. We cannot surely reform our own character by overlooking our defects. If there are defects, it is our duty to see that these defects are remedied. Therefore it is necessary to bring home to those who are responsible for such a state of things being made possible in this country, that they should subject

themselves to strict self-examination for the sake of their country's honour. I would also draw the attention of the Government to the fact that the Government has not been doing all that it should do. Surely, as I have just before said, it is not possible for the Government to wipe out bribery absolutely from the land, that is an impossibility, but my complaint against the Government is that they have not taken adequate steps, that they have not been taking any steps whatever to stop bribery particularly in this department. I do not think it will be impossible to tackle this problem if Government and the people combine and try to check it, and in that case a better state of things may be attained in a very short time. I hope the Hon'ble Minister will take this matter into serious consideration and see what can be done to put at least a partial check on the evil which is unfortunately so prevalent in this country.

Mr. P. BANERJI: I rise to support the motion of Maulvi Muhammad Hossain: Sir, I have also got personal experience of this in registration offices. Maulvi Tamizuddin Khan however much he may be trying to support Government, and I say without fear of contradiction, would admit that if Government wants, they can put a stop to this within 24 hours. I lay the whole blame at the door of the head of the department. As I have often said, the Government and the heads of the departments are only high officials, they do not care to go into the details, however much we may try to bring these things before them. Maulvi Tamizuddin Khan says, with regard to the registration office, that the high officials are not to blame, it is the poor clerks and the members of the public also who are to a certain degree to be blamed. I say the members of the public are not to blame: the poor people who go there for registration have not sufficient money to bribe these people, but they are compelled to pay some bribe under exceptional circumstances. I have noticed recently in a certain registration office, an officer is sitting in the middle on a platform; on his right hand there is another officer, and on the left, another still. When a document is placed before the officer, the officer would not receive it; he is smoking and chewing *pan;* you have made your document over to the right hand man: that man is sitting with a cash box before him, and when this application is given to him, he hands it over to the other man. This man is a mere clerk. Without going into the details of the document, he tells you that there is no comma or full stop, and it is not possible to accept it, and so makes a thousand and one excuses. But as soon as it is 2 o'clock, he tells you that he cannot take the document and you must come another day. Now the applicant has been waiting since 10-30, and he is asked to go away and come again; this man comes from a distant place, the remotest corner of the district, so he realises that it is best that he should pay some money and get his business done quickly. In spite of the fact that the officer is

sitting there, he cannot get anything done; the officer has connived at these things. I think if the Hon'ble Minister would agree and accompany me, I will give him definite instances of cases like this. As I have said, these high officials do not agree to go into details like this; even the Inspector-General of Registration would not agree to go into details and look into these matters personally, if they were pointed out to him. That is the state of things in every registration office; I am only relating an instance in a certain very big registration office; one can imagine what happens in small registration offices. There they create lots of trouble, and I say without fear of contradiction that these people go there and are forced to pay to get their business done. As soon as they pay, everything is all right. The clerk would not look for defects and everything will be all right. I would suggest that Government should bring pressure to bear upon the sub-registrars and other officers of the Registration Department. This is a long standing grievance and I would advise Government to look into it and stop it, but Government will never acknowledge that the corruption exists and when these cases are mentioned then the high officials always try to defend the man on the spot. That being the case, corruption is increasing every day. I would request the Hon'ble Minister to issue proper instructions to the sub-registrars, call for a report and make inquiries so that this may be immediately put a stop to.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am really most surprised at the statements that have been made by the responsible members of this House and most of all at what has fallen from the last speaker, Mr. Banerji. If I understood him correctly it came to this: That he has been going to registration offices and has seen the documents submitted by the public being refused to be registered and later on payment of illegal gratification those very documents were registered. Although he is an elected member of this House with a true sense of public duty, he has never thought it fit to bring it to the notice of either the Registration Department or the Hon'ble Minister's; if M.L.C.'s will not take the trouble and will not bring these things to the notice of the department I ask, how is it possible to check it? It is very easy for the members of this House to make statements of this kind, but I crave their indulgence to look at the difficulties with which we are faced. I ask any member of this House or anybody if it has ever been shown that after a complaint has been made an inquiry has not been held. In every case that we receive complaints, an inquiry is immediately held, and it is not correct to state that action has not been taken. As recently as 1932 two sub-registrars were dismissed and also some ministerial officers. As I said last year, I repeat again that in certain cases in which we want to take action, recommendations are made to us that extreme steps should not be taken. But that has not prevented the department from taking extreme steps. I

would like to place before the House—I do not first of all admit that everywhere there is corruption—why is it that we are not in a position to stop corruption? First, as Maulvi Tamizuddin Khan has said, there is not that public sense of duty amongst the people who go to registration offices. There are some who go deliberately to registration offices to get their documents registered by bribery. There are others who are forced by certain circumstances to pay a certain amount of illegal gratification to the sub-registrar or to his office. It may be said, why is it done? I say that it is done in order to get a defective or faulty document registered. It is only in such cases that the sub-registrar or his office can extort money. But as far as the department is concerned, until there is evidence it would be absolutely unfair if we go and take action against our officers. If a complaint is made and an inquiry is held and the people do not come forward to give evidence, I do not see how the department can be held responsible. The department can be held responsible only if it is shown that there has been delay or neglect to hold an inquiry when the matter is brought to our notice. Similarly, we can be held responsible if it can be proved that we have not taken any steps to punish the persons concerned when any irregularity has been committed. But I submit that not a single case has been cited to show that a complaint has been made and no action taken.

Maulvi ABDUL KARIM: Is it not possible to issue a general circular?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is already in the service rules that no Government servants can take bribe. Issuing of circulars will not stop it. There are the Magistrates and other officers before whom complaints can be made, but the trouble is that it is very difficult to prove these cases. People who generally give bribe either do it because they get a certain amount of facility or because sometimes they are in a hurry. It is very difficult to produce evidence that they have done so. Whenever we suspect that a certain officer has a bad reputation, we stop his promotion. We take drastic action also in those cases where the department is satisfied that a particular person has been guilty or corruption although his guilt could not be proved in a court of law. As soon as any disciplinary action is taken against any officer, the Inspector-General of Registration, communicates to all other officers of the department that such and such action has been taken against such and such person. This is a recent innovation in order to warn the officers of the department. I do not think it is fair to suggest that the Registration Department is wholly corrupt or that there is a great deal of corruption in it. As I said before, unless the people come forward and help the department to check the evil, the department cannot do anything. We are in every way ready to do

anything to stop it and we appeal to the public to help us in checking the evil. If the people offer to help us and we do not avail ourselves of the offer, then we can be blamed. With these words I oppose the motion.

Maulvi Muhammad Hossain's motion was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Barmas, Raba Premhari.
Barma, Rai Sahib Pagchanan.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Hanai Absar.
Dutt, Rai Bahadur Dr. Haridhan.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Law, Mr. Surendra Nath.
Mittra, Babu Sarat Chandra.
Mookerjee, Mr. Syamaprosad.
Rakhit, Mr. Prosanna Deb.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Rajendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Raut, Babu Nagendra.
Samad, Maulvi Abdus.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES.

Afzal Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Basir Uddin, Khan Sahib Maulvi Muhammad.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Nasiur Rahman.
Cohen, Mr. D. J.
Corry, Mr. T. A.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Mr. S. C.
Edgley, Mr. R. R. A.
Ensufji, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Nawab K. B. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. R. N.
Ghose, the Hon'ble Sir Charu Chander.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildoar.
Gilchrist, Mr. R. R.
Gladding, Mr. D.
Guha, Babu Protulla Kumar.
Huha, Mr. P. R.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Musharaf, Khan Bahadur.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Razzar Rahman.
Martin, Mr. C. M.
Mitter, Mr. S. C.
Mukhopadhyaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mahendra Behary.
Nag, Reverend B. A.
Nag, Babu Suh Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Ray Chaudhuri, Mr. K. C.
Reid, the Hon'ble Mr. R. R.
Roy, the Hon'ble Mr Bijoy Prasad Singh.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy Chaudhuri, Babu Nam Chandra.
Sadakatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. R. R.
Solaiman, Maulvi Muhammad.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Walker, Mr. W. A. M.
Wilkinson, Mr. C. B.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr J. [illegible]

"Ayes" being 23 and "Noes" 55, the motion was lost.

Mr. NARENDRA KUMAR BASU: Long live corruption!

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 16,47,000 under the head "9B—Registration—District charges" be reduced by Rs. 100 (rules for the appointments of candidates of the scheduled castes as sub-registrars and as clerks).

Sir, I have indicated that the reason of this motion of mine is to draw the attention of the Government to the want of proper provision for the candidates of the scheduled castes for appointment either as sub-registrars or as clerks in the registration offices. You will be pleased to remember, Sir, that I had occasions before to table motions of this nature under this head. I had occasion then to point out the grave injustice meted out to the candidates of these classes when I showed on a reference to facts and figures that while in 1929 they appointed 27 sub-registrars, the Government was generous enough to make only one appointment from amongst the candidates of the scheduled castes or depressed classes. We knew that there were several very good candidates from amongst these classes, most of whom were graduates. Some of them were nominated by the Collectors of their respective districts. This would certainly show that these candidates were properly qualified candidates under the rules, but none of them was appointed except one. Sir, out of the 27 candidates appointed, we find that at least 12 were undergraduates. It is difficult to understand on what principle these appointments were made. The candidates, who were selected in 1929, joined their office in May, 1930.

In December, 1930, 12 appointments were made as sub-registrars who joined office in January and February, 1931. Of these, four were undergraduates. We know that on this occasion also there were some qualified candidates from amongst the scheduled castes or depressed classes, a few of whom were also graduates. But we find that only two appointments—or rather only one appointment was made from amongst them. The Hon'ble Minister was pleased to state in his reply then that three appointments were made from amongst the scheduled caste candidates; but on a reference to the list, he would be good enough to find that it was not so.

So far as the appointments of 1929 were concerned, the Hon'ble Minister in charge said that these appointments were made before he came in office though the notification in the gazette was published in his name. But, Sir, we do not say anything against any individual official, nor do I consider it proper for me to find fault with anyone as such. Our grievance is against the policy of the Government as a whole. The Government lays down certain qualifications for certain appointments. We produce candidates perfectly answering to those tests and that even to the satisfaction of the district administrative heads. But something happens thereafter somewhere of which one is perfectly ignorant, whereby we find that those candidates are safely omitted from the list of appointments. We find that in the cadre of

sub-registrars consisting of 417 officers there had only been about a very few—not even a dozen—appointments made from amongst these candidates. The first appointment was made in about 1907 under the old Government of Eastern Bengal and Assam. This is the way in which justice and sympathy are being shown to us even in the matter of appointments as sub-registrar, whose only duties, as was humourously pointed out by Syed Jalaluddin Hashemy, then a member of this Council, are to see how the particular documents are written out and if the proper stamps are affixed, though we have been told that the Government is sympathetic towards these classes. Sir, you will excuse me if I repeat what the Hon'ble Minister in charge of the department was good enough to say in reply to a question of mine some time ago that whether an undergraduate would be superior to a graduate or whether the latter would be inferior to the former for appointment as sub-registrar would depend upon other considerations. Well, Sir, this is the other consideration of which we are very much apprehensive as we learn at times what these other considerations are; and we can only express our regret for the same.

As regards the clerks in the various registration offices in Bengal, you will find, Sir, that the position is still worse. For out of a total of 1,221 clerks in the whole province formerly and now the number has been reduced to 1,168 for whom the annual expenditure is over five lakhs of rupees. We do not know if there is any one—not to talk of a proper number—of the candidates of the depressed classes in the whole cadre. Are we to understand that these candidates are not even fit for these clerkships? No, Sir, that is not the situation. It is the other consideration within which these candidates cannot hope to reach even for generations.

I do not desire to enter into further details. But, Sir, it would be improper on my part if I had not said in this connection of the just attitude of the present Hon'ble Minister in charge of the Department of Registration towards the legitimate demands of these classes. And this makes the situation still more painful. Our sincere request to him is that he would try and see that the Government do translate their sympathies into real action by setting apart a number of appointments for the qualified candidates of these classes at the time of each selection and would give all proper and necessary direction to the several authorities concerned.

I hope, Sir, there can be no objection to this moderate and just demand of ours. With these words, Sir, I commend my motion to the House.

Maulvi SYED NAUSHER ALI: Sir, I beg to support the motion of Mr. Mukunda Behary Mullick. His demand is a legitimate demand. He only wants that the legitimate claims of the scheduled castes

should be respected and the lip-sympathy so often shown by the Government should be translated into action. He has shown by facts and figures how the scheduled castes have been treated by Government so long. But in this matter, Sir, we cannot blame the Government alone. The situation has been everywhere the same; even in self-governing institutions, where Indians predominate, there also, their position is exactly the same or perhaps worse. If we cannot show sympathy to them and if we cannot be just to them, I do not know how we can claim justice from other people, for example, from the British and others, under whom we are now groaning, as we so often hear it said. If we cannot stop the groaning of our own people, we cannot claim to have any sympathy, any consideration from others, from foreigners as we often put up the cry. If we want to be fit for self-government in this country, we must know how to treat our brethren, treat our own people justly, equally, and fairly as between man and man. It cannot be said, so far as my experience goes, that they are unfit or that there is any dearth of qualified candidates among them. I for myself can for the information of the House say that, so far as my district is concerned, there was not a single member of the scheduled castes employed in the district board five years back. Since the time that I came into the district board, I have taken a large number of scheduled caste candidates—people who are better qualified than even the caste people. When I came in, Sir, the entire ministerial staff of the district board consisted of a number of clerks and only three of them were Muhammadans. Of the ten Hindu clerks there were only 2 matriculates among them and the rest were all non-matriculates. They have no qualifications, so to say, and it could not be said by any stretch of imagination that non-matriculates among the Muhammadans or scheduled castes were not available from the Muhammadan commounity or from the scheduled castes. I am not now speaking for the Muhammadans but these gentlemen who were in power, they could have shown some real consideration for their own kith and kin as they are now trying to establish. I only wish, Sir, that their cry that these scheduled castes belong to their own kith and kin, should be translated into action, and that they should be shown real sympathy by action and not merely by words. Sir, that is with regard to what can be done and it is only an example of how they have been neglected. If you are really anxious to be just to them, there is ample opportunity for you, and there is no dearth or lack of properly qualified men among them. The cry of efficiency is often raised in this connection but so far as my experience goes it is a totally false cry. I want, Sir, only really efficient men should be taken: our complaint is not that inefficient men are not being taken, but our complaint is that really efficient men, men answering to the standard prescribed for particular positions and posts, should be taken in and no favouritism should be shown

to anybody. I only want that justice should be done to these much-neglected people, nothing more and nothing less. I hope the Hon'ble Minister, who is a Muhammadan, and according to whose religion all men are equal in the eye of the *Allah*, will not be guided by any other principle whatsoever, than the principle of justice, equity and fairness to all concerned. With these remarks I appeal most fervently to Government that the claim of the much-neglected people should no longer be deferred and that their just claim should be respected and regarded as early as possible. With these remarks I support the motion.

Mr. SHANTI SHEKHARESWAR RAY: We have just now heard a very eloquent speech from Maulvi Nausher Ali and as a Hindu I welcome this support for one section of the Hindus. But I am afraid that there is something wrong in this motion. It has been said in the motion that rules should be made for the appointment of candidates of scheduled castes as sub-registrars and clerks. Sir, we do not exactly know what is meant by "scheduled caste." We have heard that Government sometimes makes some distinction between the members of the depressed classes and caste Hindus, but so far as scheduled caste is concerned I believe it is a new term, and it is only intended to apply so far as the new constitution is concerned. It should not have any reference so far as appointments are cocerned. So I believe it is the intention of the mover of this motion that this rule should apply to the depressed classes and not to the scheduled castes.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I consider that it is very hard that this amendment should have been moved at all, specially in view of the fact that for the last three years no appointment of sub-registrar has been made and the facts and figures that have been cited by Mr. Mullick refer to the year 1929-30, in which he himself admitted that, so far as the appointments of 1929 are concerned, they were practically made before I assumed charge of my office. As far as 1930 is concerned, Sir, out of the 12 appointments, according to him, two were given to the members of the backward classes or scheduled castes, whichever term may be applied to them; but according to my calculation three appointments were made from candidates belonging to backward classes. I am speaking from memory. Therefore, I think, that if this motion has been moved with a view to bringing to the notice of the Registration Department the necessity of appointing members of the scheduled castes in the future, then Mr. Mukunda Behary Mullick knows very well that as far as possible Government are always anxious to see that special representation should be given to the depressed classes if they cannot come in on merits. But I would like to remind him that it is not possible

within the space of one, or two, or even five years to remedy the disadvantages of hundreds of years. It is not possible to stop recruitment altogether from all other communities and give appointments to the members of the backward classes. (KHAN BAHADUR M. A. MOMIN: Why not?) Whenever possible we are trying our best, in all services, to deal fairly with the representatives of the scheduled castes. Mr. Mukunda Behary Mullick has not been able to state any facts and figures as regards clerical appointments and therefore I will not go into that question. As far as possible our instructions are clear, and according to those instructions certain percentage of appointments is always reserved for the backward classes. We will try our level best to give effect to these instructions and I promise that if in any case due consideration has not been given to the claims of members of the depressed classes—and if such cases are brought to my notice—I shall try my best to rectify the mistake. With this assurance I hope Mr. Mukunda Behary Mullick will see his way to withdraw his motion.

Mr. Mukunda Behary Mullick's motion was then by leave of the House withdrawn.

Babu SATYA KINKAR SAHANA: Sir I beg to move that the demand of Rs. 16,47,000 under the head "9B—Registration—District charges" be reduced by Rs. 100 (to criticise registration of documents generally and that of the conveyances of *raiyati* holdings specially).

Sir, at the beginning I would like to state that I move this motion not to create any trouble for the Government or the Hon'ble Minister nor to censure the policy of Government. My object is simply to invite the attention of the Hon'ble Minister to the troubles that are often met with in the rural areas for want of care on the part of sub-registrars at the time of registering documents. I am not going to speak about the frauds, false personations, corruptions and other things which take place in registration offices, because as long as the world will remain as it is and there will be vice in human nature, I think the sub-registrars will not be able to check them however much they might try. The point which I want to bring to the notice of the Hon'ble Minister is as regards the illegal registration of conveyances of *raiyati* holdings. In the districts in which settlement records have been prepared and the status of the *raiyats* have been explicitly stated, we find that in the case of conveyances or transfers of *raiyati* holding to avoid the payment of landlords' fees the occupancy holdings are sometimes mentioned as *mukarari* holdings, and as the sub-registrars do not care to compare the status of the transferees by referring to the settlement records *raiyati* holdings and occupancy holdings are transferred as *mukarari* holdings, and the landlords are deprived of their fees. But when the landlords come to know of this—and they

cannot but come to know of this—when the *mukarari* fee of Re. 1 reach them they come to know, they run to the law courts and in this way bitterness is created between the landlords and the *raiyats* and litigation also increases. I, therefore, invite the attention of the Hon'ble Minister to this state of affairs and request him that he would be so good as to instruct the sub-registrars that when they register documents involving transfers of *raiyati* holdings they should be careful in comparing the status mentioned in the documents with the one mentioned in the settlement records. With these few words I commend my motion to the acceptance of the House.

Mr. H. R. WILKINSON: Mr. President, Sir, the attention of Government has already been drawn to the kind of case which Mr. Sahana has cited just now. It is true that in some cases the status of the *raiyati* holdings have been wrongly described. I should like to point out that such mistakes are very difficult to check, but I may inform the member that Government are already considering whether anything can be done in the matter. The difficulty is to frame a rule, which will prevent this kind of fraud without at the same time causing undue hardship to the innocent registrant. After all, Sir, a sub-registrar is primarily concerned to see that a document presented for registration is technically correct and not with the title or right which the document purports to convey.

(Here the time-limit for Registration was reached.)

Babu SATYA KINKAR SAHANA: Sir, in view of the assurance given by Mr. Wilkinson, I beg leave of the House to withdraw my motion.

The motion was then by leave of the House withdrawn.

The main demand was then put and agreed to.

DEMAND FOR GRANT.

9A—Scheduled Taxes.

The Hon'ble Mr. J. A. WOODHEAD: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 5,000 be granted for expenditure under the head "9A—Scheduled taxes."

Motion for reduction.

Babu KISHORI MOHAN CHAUDHURI: Sir, I beg to move that the demand of Rs. 5,000 under the head "9A—Scheduled taxes" be reduced by Rs. 4,999.

Sir, my point is this: that no allowance need be given to the Royal Calcutta Turf Club. The Turf Club has sufficient means at its disposal and I do not think any special establishment is necessary to collect this tax, because the Turf Club can requisition the accounts of the book-makers and thus realise the tax. Therefore I do not think it is necessary that any sum need be spent on this score. We are all aware that *zemindars* also realise large sums due to them as cesses without any charge: they have got to spend a good deal to realise their dues. What I do not understand is that Rs. 5,000 is required for the collection of about Rs. 8 lakhs which is small compared with the incomes which accrue from the *zemindaris*. If this provision is omitted, I feel that it will not affect the situation in any way. That is why I have moved this motion for reduction and I hope the House will accept it.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I oppose the motion. We used to pay Rs. 15,000 per annum to the Royal Calcutta Turf Club for the collection of this tax, but on the recommendation of the Retrenchment Committee we have reduced it to Rs. 5,000 only. The amount of work involved is considerable, and I feel sure we should not ask the Turf Club to accept less.

The motion was then put and lost.

Mr. P. BANERJI: Mr. President, Sir, I beg to move that the demand of Rs. 5,000 under the head "5A—Scheduled taxes" be reduced by Rs. 100.

Sir, I have moved this motion just to criticise the attitude of the Government in the matter of encouraging gambling. It is significant that the Hon'ble Member in moving his motion of demand has not said anything in order to substantiate or rather to justify the payment of this amount. It would be in the recollection of the House that during the debate of my Bill—I mean the State Lotteries Bill—the Government opposed it on the ground that if that were passed Government would be accused of encouraging the gambling habits of the people. The Hon'ble Member said, or rather criticised me by saying, that my measure was mischievous and that it was rather dishonest on the part of any person to bring in a Bill of that nature to encourage gambling. When this fact was brought to my notice, I retorted that gambling goes on regularly in the race course. May I enquire why Government are so very anxious to take that illegal money realised from the race course. The Hon'ble Member in his defence justified by saying that there was at least some check on the gambling instincts of the people. From the figures before us we find that last year the collection was Rs. 7,35,000 but this year the figure is Rs. 8,25,000, so instead of there being a check on the gambling spirit the taxes are increasing.

What does it mean? Increase in betting taxes means more gambling. The people are going to the races and wasting their money. I would like to enquire of the Hon'ble Member what justification there could be after what he had said in opposition to my Bill for the Government to bring in this demand?

In this connection I would appeal to the European group, particularly to Mr. Thompson, the Puritan, who opposed my Bill.

I shall next examine the arguments advanced by another group—I mean Khan Bahadur Maulvi Azizul Haque and Khan Bahadur Maulvi M. A. Momin. Particularly Khan Bahadur M. A. Momin who said that gambling was prohibited in the *Quoran*. Close upon his heels another member, Nawab Saheb, told us that there was no such prohibition in the *Quoran*. I submit that this demand for grant gives an opportunity to all Muslims to encourage the gambling instincts of the people and realising no less than Rs. 8,25,000. Here also particularly I would refer to Mr. S. M. Bose who is also another Puritan. He said it was against his principles to support a measure like this. It is rather to request me that I should have brought in another measure, a measure that will stop all lotteries and gambling in the land. Of course I told him that that would be considered afterwards. But here is an opportunity also for him to support that gambling should be stopped, and those people who think that gambling should be stopped here is an opportunity for them which should prove that they were at least honest for that particular purpose.

With these words I beg to move my motion.

Mr. PRESIDENT: Before I adjourn I might tell the House that only 8 minutes are left; but even these 8 minutes will be swallowed up by the adjournment.

(The House adjourned for 15 minutes.)

(After Adjournment.)

Mr. P. Banerji's motion being put a division was taken with the following result:—

AYES.

Banerji, Mr. P.	Kasem, Maulvi Abul.
Basu, Mr. Narendra Kumar.	Khan, Khan Bahadur Maulvi Muazzam Ali.
Chaudhuri, Babu Kishori Mohan.	Khan, Maulvi Tamizuddin.
Choudhury, Maulvi Abdul Ghani, B.L.	Maiti, Mr. R.
Choudhury, Maulvi Nural Absar.	Rai Mahasai, Maniendra Deb.
Ezaulji, Maulvi Nur Rahman Khan.	Ray, Mr. Shanti Shekhareswar.
Ghose, Dr. Amulya Ratan.	Rout, Babu Nagendra.
Hakim, Maulvi Abdul.	Sen Gupta, Mr. Naresh Chandra.
Haque, Kazi Emdadul.	Shah, Maulvi Abdul Hamid.
Hossain, Hajivi Muhammad.	Sulaiman, Maulvi Muhammad.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Ashworth, Mr. G. G.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Surat Chandra.
Birkmyre, Mr. H.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Nasir Rahman.
Chaudhuri, Dr. Jogendra Chandra.
Curry, Mr. T. A.
Dutt, Mr. S. S.
Edgley, Mr. H. G. A.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. R. N.
Ghose, the Hon'ble Sir Charu Chunder.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dilduar.
Gilchrist, Mr. R. N.
Gladding, Mr. B.
Guha, Mr. P. N.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.
Khan, Mr. Razaur Rahman.
Martin, Mr. G. M.
Mitter, Mr. S. C.
Mittra, Babu Surat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Bulleswar Singh.
Roy, Mr. Surat Kumar.
Saadatullah, Maulvi Muhammad.
Sarker, Rai Bahadur Rohit Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. B. R.
Townend, Mr. H. F. V.
Wilkinson, Mr. H. R.
Williams, Mr. doG.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 20 and "Noes" 44, the motion was lost.

The main demand was then put and agreed to.

XIII, 15, 15 (1), 16 and 55—Irrigation.

The Hon'ble Alhadj Nawab Bahadur Sir ABDEL KERIM GHUZNAVI, of Dilduar: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 30,30,000 be granted for expenditure under the heads "XIII—Irrigation—Working expenses," "15—Other revenue expenditure financed from ordinary revenue," "15 (1)—Other revenue expenditure financed from famine relief grant," "16—Construction of irrigation works" and "55—Construction of irrigation works not charged to revenue".

Sir, owing to continued financial stringency, the expenditure budget of this department for the ensuing year has necessarily been curtailed keeping in view only the expenses that are essential for maintaining the activities of the department. The demand is Rs. 4,75,000 less than what was sanctioned by the Council in March last. The decrease is mainly due to reduced provision for work, maintenance and repairs, establishment and stock suspense. For financial reasons it has not been possible to provide for any new major works in the next year's budget. Following the practice of the last few years, provision has been made only for a few small works of a non-recurring nature which are considered to be imperatively necessary. These will be found on pages 27 to 29 of the printed budget. They include the construction of a sluice at

Kalinagar (Hijli Tidal Canal) and another at Bhaitgarh (Orissa Coast Canal), for each of which a sum of Rs. 5,000 has been provided. Then there is the construction of a syphon in Kalna channel costing Rs. 1,000. The construction of the two sluices, one at Kalinagar and the other at Bhaitgarh, is found to be urgently necessary from the experience of this year's floods and should not be delayed any more. A syphon under the Kalna channel is also urgently necessary as the channel has obstructed local drainage and people have been complaining about it for some time past. Besides these, a sum of Rs. 6,000 has been provided for new surveys and investigations in connection with the irrigation and drainage problems of the province and a sum of Rs. 15,000 for the construction of a temporary bridge at Tollygunge over the Tolly's Nala. The existing Tollygunge bridge is in a dangerous condition and its reconstruction is immediately necessary for the safety of vehicular and pedestrian traffic. The provision made for it represents the Government share of the cost of construction during the next year. The total rough estimated cost of the bridge including the temporary bridge is Rs. 3,20,000.

As regards the works in progress, provision has been made to meet the Government share of the cost during the next year in connection with the reconstruction of canal bridges, such as Alipore, Narkeldanga, Beliaghata, Manicktola and Chitpur. Funds have also been provided to continue the work of constructing two distributaries in connection with the Eden Canal, one from Goralmuri to Benepur and the other from Hirangram to Bahadurpur, to carry on surveys in progress and to complete the demarcation and survey of Government lands along the Tolly's Nala.

The construction of the Damodar Canal is being financed by loans from the Provincial Loans Fund. A sum of Rs. 6,61,700, which is the anticipated requirement for this working during the next financial year has been provided under head "55A". Progress on that work has been retarded by heavy rainfall during the current year. The work is however likely to be completed by the end of the next financial year. As certain sections of the canal have been completed and have begun to yield revenue, the Revenue Account of the canal was opened from 1st April, 1933.

The total provision for works, extensions and improvements in the next year's budget is about Rs. 83,000 less than the grant for the current year. The reduced requirements for extensions and improvements of the canal bridges under head "XIII-B" and for the work "Damodar Canal" under head "55A" mainly account for this reduced provision.

Then, there is the provision for maintenance and repairs under all Heads in the next year's budget. This is Rs. 12,88,000, or about Rs. 72,000 less than the current year's grant, of which Rs. 11,00,000

is the ne... ...ement as worked out on the basis of the actuals of the last two years, and Rs. 1,89,000 is for special repairs to the banks of the Kristopore Canal, silt clearance of the canal and for replacing the two dwarf gates of the Chitpur lock and strengthening the floor of the lock. The special repair works are necessary to keep flooding under control and for improving the drainage of the large area north of the Kristopore Canal which has suffered from severe floods in recent years, especially in 1933, and they should be executed before the next flood season. It will be in the recollection of the members of the House that during the last floods a great deal of commotion was caused by the fact that an area of something like 30 square miles was flooded and the inhabitants of 80 villages suffered great hardship, hardship which drew sympathetic consideration from some prominent members of this House, and the leaders of different groups were good enough to meet me in my room and expressed their earnest desire that Government should take definite steps to stop the recurrence of such floods and distress to humanity. I had the privilege of giving them a definite assurance that Government would certainly do what was possible, having regard however to the financial position, to mitigate the hardship which was so very keen last year. With that object in view certain schemas were prepared, and the first idea was that the canal should be closed to all traffic for 4 months and the silt should be cleared by manual labour and the banks strengthened by the earth dug up from the canal. This unfortunately gave rise to hue and cry on all sides. On the one hand, there were the *beparis* and commercial men who feared that they would suffer a great loss if their boats could not come along the canal from the Kulti to Calcutta. On the other hand, the Forest Department itself feared that that department would be loser by no less a sum than a lakh of rupees. Therefore, the experts of the department had to put their heads together to devise certain other plans whereby the hardship caused to the traders and others would be avoided, and happily a new scheme was formulated and placed before Government. That scheme provided for the clearance of silt by what is called a drag-line excavator which would not prevent boats coming in and which would not entail closing of the canal for a long period and at the same time it would be possible to clear the silt, strengthen the banks and so on. Later on, the idea was to strengthen the dwarf gates of the Chitpur lock by putting up a bund near the lock in order to make the necessary repairs. The members of the House will, I hope, realise that Government have done their very best having regard to the financial stringency when at a time like this they agreed with the assurance that I have given to an expenditure of Rs. 1,89,000 on this project. This has been included in this year's schedule.

As regards tools and plant, provision has been made for what is regarded as essentially necessary. The normal requirements for such

Executive division with due regard to economy have generally been taken as the basis for the provision under this head. The provision for establishment charges has been made after all possible curtailment of expenditure on travelling and conveyance allowances, contingencies and supplies and services and after careful examination of our requirements for the pay of officers and establishment. As a result, the provision made thereafter is about Rs. 4,000 less than the voted grant and Rs. 60,000 less than the non-voted grant for the current financial year. Provision for travelling allowance (voted) is about 5 *per cent.* less, that for contingencies is about 6 *per cent.* less and that for supplies and services is about 25 *per cent.* less than the grant for the current year. There has also been a substantial reduction in the provision for pay of officers on account of the compulsory retirement of some of our I.S.E. officers. Incidentally it may be mentioned that it was decided by Government in connection with the recommendations of the Retrenchment Committee that the present cadre of 28 I.S.E. officers in this department should be reduced to 19. Out of the excess of nine officers, three have been made to retire compulsorily, one has voluntarily retired under the Compulsory Retirement Rules and one is about to retire. The case of the remaining four excess officers selected by this Government for compulsory reitrement is now under the consideration of the Secretary of State.

It will not be out of place for me to mention some of the activities of the Irrigation Department. The question of flood irrigation in the decadent areas of the province has been engaging the attention of Government, and this is a matter which is closely linked with the problem of ensuring the productivity of existing and future irrigation schemes. The Development Commissioner will consider this in co-ordination with the Irrigation Department. As owing to financial stringency it will not be possible for Government to undertake any major schemes for some time to come, the present policy of this department has been to give attention mainly to small local schemes which may result in considerable benefit at a small cost, such as schemes for making small cuts from live rivers in order to introduce a supply of silt-laden water into channels of rivers which have deteriorated. In 1932-33 a scheme for such a cut from the Mathabhanga to the Nabaganga was carried out by the District Board of Nadia with the assistance of the experts of this department was completed successfully and is greatly appreciated by the people concerned. Two other schemes of the same kind, *viz.*, the Hat Boalia cut and the Joynagore cut are under the consideration of this department. Investigations are proceeding in the Mymensingh district with a view to ascertain whether and how the Brahmaputra river and its tributary channels can be improved, and in the Bogra district whether the lower Karatiya river can be revived. Members of the House will, I hope realise that a new orientation in the policy of

this department has been introduced. I deplore the absence of the Khan Bahadur from Nadia, I mean Khan Bahadur Azizul Haque, who is very keen about the matter I have just been explaining. During the course of the budget discussion he mentioned how eager he was to see that this department should now take up these new small measures in different parts of the province and thereby actually help the people not only by resuscitating the so-called dead and dying rivers but also simultaneously improving the health of the rural population. I can assure the members of this House through you, Sir, that this is a policy which is very near to my heart and a policy that has now been definitely adopted by the department and will be given effect to, particularly at a time when we are unable on account of financial stringency to tackle problems which require large sums of money. It is only meet and proper that these small problems which are essential for the health and prosperity of the people should be taken up. As I have plainly indicated already a good deal has been done in that direction and I have also said that there are many projects of a similar nature which are for the moment under the careful consideration of the department.

Well, Sir, it is certainly a great pleasure to me as well as, I am sure, to the members of this House that the Council has passed the Bengal Waterways Bill. Steps are now being taken to obtain the assent of the Governor-General in Council to it. Although it is very difficult now to say when it will be actually possible to form the Board but as soon as the Bill becomes an Act, Government will not fail to take the earliest possible opportunity to form the Board and I hope our rivers will receive more attention than they have done in the past. It is unnecessary for me to stress in this connection how the health, wealth and prosperity of the rural population is linked up with this question of the improvement of the waterways, how it is imperative, and it has become more imperative in view of what has recently happened to the sister province of Bihar from the effects of the earthquake—how it has become more imperative to see that the *bils* and *khals* are revived in order to afford the people of the province facilities to market their goods and also for their daily avocations.

In my budget speech in March last I fully explained the position of the Irrigation Department as a *quasi*-commerical department. I might add that a large proportion of the works carried out by this department is of a protective nature; for example, navigation canals which are also utilised as drainage channels protect the countryside from disaster and inundation. Again embankments are maintained as protection from damage by flooding. In other cases canals and canalised rivers serve as a means of communication and transport of household and domestic necessities as well as agricultural and industrial produces where no other means of communications are available. In districts where irrigation canals exist they serve as an effective insurance

against failure of crops during a poor monsoon while in years of good rainfall canal water is not so urgently demanded. Hence behind the actual figures of financial return there are indirect benefits.

Well, the policy of gradually abandoning embankments where it can be done safely is also being followed. A majority of these embankments protects crops which are worth crores and crores of rupees which will very naturally be damaged if the embankments were suddenly abandoned. That is a fact, Sir, which is to be carefully borne in mind. I may tell the House that many of these embankments are not our own creation, but we have got them as legacies. They are some 13,000 miles in length protecting over 55,000 square miles of land. The Irrigation Department does not get any income from these embankments, and even *takavi* loans are not recovered by this department. But there is no reason why the Irrigation Department should not be given credit for all the anxious time they have to pass and the strenuous work that has to be devoted to the embankments, especially in times of floods, lest a little failure might spell disaster. For all these reasons I have my doubts whether it is correct to call the Irrigation Deparment a commercial department.

Well, Sir, the reclamation of swamps and low-lying areas effected by the beneficial spill of silt-laden water from rivers is expected to benefit the country. Progress in this connection will be facilitated and accelerated when the rural public realises the enormous eventual benefit thus accruing to land, agriculture and general public health. It is anticipated that this and other kindred matters of rural development, so far as this department is concerned, will in due course be examined by the Development Commissioner.

I can assure the members of the House through you, Sir, that the object and intention of this department has been and will be to do the greatest amount of good with the money at our disposal. Happily, with the introduction of a new orientation in our irrigation policy, scope has been found where even in a time like this a great deal may be done for the improvement of our people, and as such, I think the department which is labelled as Irrigation Department and from which only recently one section, namely navigation, has been segregated, is bound to do immense good to the people of this country. With these words I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 7,49,500 under the head "XIII—Irrigation—Working expenses —Maintenance and repairs" be reduced by Rs. 100 (non-disposal of the dredgers).

Sir, I have been listening with a great deal of attention which the importance of the subject demands, to the utterances of the Hon'ble

Member in introducing his demand. We all know, Sir, that the Hon'ble Member is very keen that the Irrigation Department should function for the good of the people, and that, being in charge of the twin Departments of Forest and Irrigation, the Hon'ble Member is very fond of elephants, white or brown, whether on land, or sea or air, and his love for these white elephants of the water, *viz.*, the dredgers, is a love that passeth all comprehension. I have been trying to hear whether in his attempt to take up all the time allotted to this demand, the Hon'ble Member would succeed in saying even one word in favour of these dredgers. Unfortunately, Sir, he has not. At the time when this Council was discussing the formation of the Waterways Board and the functions of that Trust and the provisions of the Waterways Bill, we were told that in spite of the advice of this Council and of the Standing Committee on Irrigation, Government had decided not to scrap these dredgers but to try and sell them and that purchasers were well within sight. But, Sir, we have not heard one word about that to-day, and I am therefore afraid that the purchasers have all run away, either into the Bay of Bengal or further. Sir, the House as a whole has, I am afraid, very little idea of how much these dredgers cost the province of Bengal. If you turn to the budget—not the red book or the green book, but the small white book, the Government of Bengal, Irrigation Department budget estimates, (page 6), you can by adding up your figures find that Rs. 1,30,000 is the estimate for the maintenance and repairs of these dredgers after giving credit for Rs. 34,000 as income, and at page 7 you will find that there is a provision of Rs. 2,62,000 for the purpose of payment of interest on the loan for the purchase of these dredgers. Therefore to an unsophisticated mind it would appear that at most the total expenditure on these dredgers, that is, the total loss of this province on account of these dredgers, would be Rs. 3,92,000. It is not so, Sir, because if the honourable members turn to the figures for the year 1931-32, they will find that by adding the two figures for maintenance and repairs in that year together with the interest charges, they will find that the total sum comes up to about Rs. 7 lakhs. But as a matter of fact, if you turn to the Accountant-General's Appropriation Report (page 21), you will find that the total loss on account of the maintenance of three of the dredgers, "Ronaldshay," "Cowley" and "Burdwan," was Rs. 9·52 lakhs for one single year. That is, for three of the dredgers only, Sir, and I am not now talking of the capital expenditure and of the loans budget. That of course will be enormous. We, the Government of Bengal, always buy from the dearest market and at the highest rate of interest when it is a question of purchasing from a foreign market. But I am not talking of that now. Maintenance of three of the dredgers cost Rs. 9½ lakhs for 1931-32. The audited figures for the next two years are not before the Council, but I am sure they will not be very much less. Even though this Council has been crying itself hoarse over this question of dredgers, and asking

the Hon'ble Member and his department to take them off to the Bay of Bengal and sink them, the Hon'ble Member, as I have said, always turns a loving lingering look towards his elephants and says—"No, please let them remain; they will behave better in the future." And now it has come to this that, in the last three years, by keeping these nautical elephants alive this province has lost a sum of Rs. 30 lakhs and I would ask the House to remember how much good this sum could have done the country even in the Irrigation Department or if the sum were spent for other purposes. I submit, Sir, that it is a criminal waste and there is no reason why the Hon'ble Member should not still listen to reason and get rid of these dredgers. I know of course that he will say—I am going to get rid of these as soon as the Waterways Trust is formed. I shall make them over to the Waterways Trust, so that out of the Rs. 2,31,000 that we shall grant the Board, they will have to pay Rs. 9,52,000 for the upkeep and maintenance of these dredgers! But I submit, Sir, that is not the sort of disposal of these dredgers that I am thinking of. I am thinking of a disposal which would mean that the dredgers will not be a charge upon the finances of Bengal and the Bengali people—and when I say Bengali people, I mean the residents of Bengal, whatever their race, creed or colour might be—and I say these dredgers should not be a drag on the financial resources of Bengal any longer.

Dr. NARESH CHANDRA SEN GUPTA: Mr. President, Sir, I would only add to what has been said by Mr. N. K. Basu. I notice that in the statement showing the decision Government had taken up to the 31st January, 1934, on page 7, with reference to paragraph 34, it is stated that an endeavour is being made to sell the dredgers, "Burdwan", "Ronaldshay" and "Cowley". After reading this one would think that this was the first time that an endeavour was being made by the Government. We have been hearing of this endeavour to dispose of the dredgers "Burdwan", "Ronaldshay" and "Cowley" for years together. How is it that the endeavour has not succeeded yet and what guarantee is there that this endeavour is going to succeed now or ever?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: What is that book you are referring to?

Dr. NARESH CHANDRA SEN GUPTA: This is a book circulated by Government showing the decision taken by the Government up to 31st January, 1934, on the recommendations of the Retrenchment Committee to the members of this House. There it is stated that an endeavour is being made to sell the dredgers. Government has been endeavouring for years together. Now it has got to do something—it

has got to decide to sell these dredgers within a reasonable limit of time, and if they cannot sell it, they must sell it as scrap; and even if that is impossible, sink them in the Bay of Bengal.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I rise in support of the motion moved by my friend, Mr. N. K. Basu. In each and every session of the Council whenever any opportunity presented itself some members of this side of the House have been consistently persistent in their demand to give the much talked of dredgers a decent burial underneath the Bay of Bengal which is deep enough to accommodate all the white elephants which are devouring a large portion of the revenues and impoverishing Bengal if they cannot be disposed of in any other way. Rs. 9½ lakhs per annum for maintenance is no joke. But, Sir, it appears no steps have been taken in that direction. The Hon'ble Finance Member while introducing his budget estimates had not a word to say on the point. Had that been done, no provision would have been necessary for their maintenance. But, Sir, like the pet children of the Home Member, I mean the police, the dredgers are the favourite children of the Irrigation Member and he naturally feels great pain to part with them. Perhaps it is *maya* or illusion which has overcome him else he would have found ways and means to get rid of them. So far as the dredgers are concerned, the Finance Department appeared to be extremely liberal. It cannot find any money which has for its object the betterment of education, sanitation or irrigation but money can be had in plenty for such criminal wastage of public funds. This attitude on the part of the Government is certainly reprehensible. The dredgers are sitting as an incubus over the finances of Bengal and the sooner they are disposed of the better for all concerned. Pray do not hamper the work of the Waterways Board by making over to them the dredgers. The Government grant to that Board will amount to about Rs. 2 lakhs and 31 thousand, but the maintenance cost for only three dredgers will be something like Rs. 9½ lakhs. If the Board is required to maintain these white elephants, all its resources will be drained away leaving little for beneficial works.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: Mr. President, Sir, I know from my knowledge of the Bible that even God Almighty does not visit the sins of the father upon the children. But it seems that the members of this House want to visit the sins of the fathers of schemes not only on the 1st, but also on the 2nd, 3rd and 4th generations of children. Mr. N. K. Basu, my good friend, has dilated upon the question of the disposal of the dredgers perhaps one hundred times. At the time when the Waterways Bill was being discussed I held up a green book and informed the House as to

what has been said, what has been written, what facts have been recorded as regards these dredgers in that book, and I claim that no one member of this House has looked at the dredgers from that critical point of view as I have. I need not repeat the fact that these dredgers have come down to us as a very unwelcome legacy. I fully agree that these dredgers are a drag on the public revenues of this province and the criticism which my good friend, Mr. Basu, has levelled against the Irrigation Department can be eclipsed thousand times. But apart from this, Sir, we can only look at the facts as they are. It is no use saying "sink them in the Bay of Bengal." I am sure if he were to examine the question in a calmer mood he would think otherwise. What will be gained by sinking them in the Bay of Bengal? The loan remains; interest will have to be paid. The revenues of Bengal have already been saddled, rightly or wrongly, and the interest will have to be paid until the principal is liquidated. So I ask what good will accrue if the dredgers were sunk—a proposition which has been repeated *ad nauseum*? Cannot you think of any other sea than the Bay of Bengal? (Laughter.) It has been repeated *ad nauseum*. Let me inform the House, through you, that they are neither white elephants nor red elephants or anything of the kind, and that they are very useful animals. May I ask the members of this House whether for the well-being of this country they do not want the silt to be cleared. Do they not want them in order to revive the dead and dying rivers, the necessity of which has so often been urged—a song which has been sung very frequently by my good friend, the Rai Mahasai? Well I submit that in order to do all these things the dredgers are required. The question is how many of them would you require? These are matters which cannot be brushed aside but have to be considered carefully by experts who know their business. My good friend, the Doctor, referred to a book and quoted a few lines from it, apparently with great glee when he found an expression like this "an endeavour is being made". The first step in any business is "endeavour" and I submit that "endeavour" is the beginning of all subsequent actions. When the endeavour results in consummation that endeavour is something which should not be brushed aside. May I just tell the members of this House that this word "endeavour" is not merely to be found in this book, but that "endeavour" has been going on long before the book came into existence? May I further inform the House that we have been receiving offers from England and that the late Chief Engineer, Mr. Roche, even while lying in his sick bed, was requested by Government to help us, and an officer who had gone on leave was asked to go and see Mr. Roche and negotiate with prospective purchasers. These dredgers are not toys and so they cannot be disposed of quickly. These are matters which ought to be very carefully considered. Therefore that endeavour is resulting and will result in actual consummation by which I mean that the sale is hoped to be effected shortly. But again I say that it is

necessary to preserve these useful animals. I am borrowing the metaphor of Mr. N. K. Basu who is very fond of it because of his own bulk and size.

Well, Sir, the question is how many of these dredgers should we keep. If the Waterways Trust functions from to-morrow, it will be their business to sell them; but so long as the Trust does not function, it is the Government's lookout to see to it that as many of them as are not needed are sold on advantageous terms.

Dr. NARESH CHANDRA SEN GUPTA: What about the opinion of the Hopkyns Committee?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: Well, as regards further details regarding these dredgers all I can say is that the offer which I have made already still holds good. If Mr. N. K. Basu and Rai Mahasai would care to peruse the book—I mean the green book—they will find there all the details. I trust that it will certainly be very informing to them if they care to visit the dredgers and see for themselves at close quarters what these water animals are like. They will at once realise that even these water animals have got their utility, and I may say that they are most essential for the work which lies ahead of the Waterways Trust. I may add that they are in first class condition. I submit, Sir, that no member of this House is in a position to criticise light-heartedly until and unless he inspects them at close quarters. As I have already said, Sir, I feel very keenly that this is a very sad legacy. I claim that I have fully demonstrated the matter to the members of this House and no one is in a better position to criticise than I am. I feel very keenly that this has not been done before, but there is no help for it and we have to face the facts. They are there.

Regarding the speaker, No. 2, it is no use talking at random and saying "sink them", etc. That will not do. It is merely talking in a loose way. It is no use doing that sort of thing. Whether you sink them or give them away, we have got to remember that interest has got to be paid on the money borrowed which has to be liquidated. Therefore the next best thing is to reach a decision, namely, to keep two or three of them for the Waterways Trust and sell the others. I may explain to the House that the negotiation as regards the disposal of these dredgers is progressing very well having regard to the fact that a dredger is a commodity which is not usually saleable. If a member of the House will give us at least an offer, Government will be pleased to close with it. I do not know whether anyone will come forward to help Government to find a purchaser. Government will no doubt express their obligation but so far they have, unaided by the House, used every endeavour to sell these dredgers at a reasonable price. They have not stuck out for a large amount but they do want a reasonable

price and hope to get it within a reasonable time. As I have said, we are not sitting idle, we are taking every step in order to get them off our hands. That is what we do want. There is nothing more to be said. I have explained the position very plainly to the House and I hope hereafter we will not hear about scrapping or sinking these dredgers; that is small talk. Let us fully realise the large amount which will be at stake.

With these words I beg to oppose this motion.

Mr. NARENDRA KUMAR BASU: May I ask one question? The Hon'ble Member has asked us to go and visit the dredgers; will the Hon'ble Member be "At Home" to the members of the Council on the dredger.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: With pleasure.

Mr. NARENDRA KUMAR BASU: Is not one of the dredgers called "Damdin"?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: I do not know. I have never heard of such a name.

Mr. Narendra Kumar Basu's motion being put, a division was taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Armstrong, Mr. W. L.
Ashworth, Mr. C. G.
Bocarjl, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Abdul Khasi.
Ferguson, Mr. R. N.
Ghose, Dr. Amulya Ratan.
Guha, Babu Profulla Kumar.
Hoque, Kazi Emdadul.
Hossain, Maulvi Mahammad.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Nicholl, Mr. C. K.
Rai Mahasai, Manindra Deb.
Rout, Babu Hemeni.
Roy, Babu Jitendra Nath.
Sen Gupta, Dr. Naresh Chandra.
Steven, Mr. J. W. R.
Walker, Mr. W. A. M.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Curry, Mr. T. A.
Dutt, Mr. G. S.
Edgley, Mr. H. G. A.
Ensorji, Maulvi Nur Rahman Khan.
Farooqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ghose, the Hon'ble Sir Ghara Chandra.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dilduar.
Gilchrist, Mr. R. N.
Gladding, Mr. S.
Hakim, Maulvi Abdul.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.

Kasem, Maulvi Abul.	Ray, Babu Amulyadhan.
Khan, Mr. Razaur Rahman.	Ray, Babu Nagendra Narayan.
Khan, Maulvi Tamizuddin.	Reid, the Hon'ble Mr. R. N.
Martin, Mr. G. M.	Roy, the Hon'ble Sir Bijoy Prasad Singh.
Mitter, Mr. S. C.	Sarker, Rai Bahadur Rebati Mohan.
Mullick, Mr. Mukunda Behary.	Sen, Rai Sahib Akshoy Kumar.
Nag, Babu Suk Lal.	Sen, Mr. S. R.
Nazimuddin, the Hon'ble Mr. Khwaja.	Solaiman, Maulvi Muhammad.
Qasem, Maulvi Abul.	Townend, Mr. H. P. V.
Raheem, Mr. A.	Wilkinson, Mr. H. R.
Rahman, Mr. A. F.	Williams, Mr. A. deG.
Rahman, Mr. A. F. M. Abdur-.	Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 21 and "Noes" 45, the motion was lost.

Mr. P. BANERJI: I beg to move that the demand of Rs. 10,73,000 under the head "XIII-B—Navigation, embankment and drainage works" be reduced by Rs. 100 (abandoning Ghatal Circuit Embankment).

Sir, while speaking on the Bengal Waterways Bill, the Hon'ble Member pointed out that it has been the policy of the Government to gradually abandon the embankments as they found that the existence of these embankments is rather detrimental to the interest of the villages. It was pointed out that by the measure adopted by the Government the matter would improve. It may be according to the expert ideas that the abolition of the embankment scheme might improve the situation in the long run, but the fact remains that so far as this embankment is concerned, I mean the Ghatal Circuit embankment in the district of Midnapore, and embankments Nos. 3, 5, 18 and 19 of the Schedule III of the Embankment Act were abandoned by the Government in the teeth of the opposition of the local people. Now let us consider for a moment what has been the result. The Government against the opposition of the people then suggested that they were contemplating the construction of an escape at Kushpota near Ghatal, and subsequently that was abandoned also. Then they also considered a proposal to construct an escape at Harisingpur and Gopinathpur, and that project also involved an expenditure of Rs. 2,08,000. The Government found it difficult to proceed with the project, as is usual with all measures of the Government that the funds were not available, and therefore nothing was done though the embankments also were not protected. The result has been that inundation of the land and loss of crops to the villagers in the locality, the villagers cannot pay their rents and they have been hard hit. But the Government on their part by their action has put these cultivators to great difficulties and still the Government would not forgo their rents; they are taking all sorts of legal steps to realise their rents, while for the Government action, I mean in not looking after these embankments, the result has been that these people have been very much hard hit. Now if the Government maintains their policy and says that these embankments will be gradually abandoned as

they find that the river beds are being silted up and are getting higher than the land, there might be a remote contingency. But at least the Government should have made provision for the time being that by neglecting these embankments there will be a lot of distress to the people and in that case Government should have warned the people to make a colony elsewhere for those people to live in till such time as the embankment scheme is taken up and would enable both the Government and the people to come back and live in those places. Therefore, I would ask the Hon'ble Member to look into the grievances of the people so far as the Ghatal Circuit Embankment is concerned and see what steps can be taken. With these words I commend my motion to the acceptance of the House.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: Mr. President, Sir, my friend, Mr. Bannerji, has placed the Government between Scylla and Charybdis. What is the Government to do? On the one hand, some members are rising in their seats and declaiming and saying "Do away with the embankments and follow the great Engineer Sir William Wilcocks." Now comes another member who finds fault with the Government, because Government have adopted that policy of abandoning the embankments, but not in the way suggested by the members, but in the way which Sir William Wilcocks approved, namely, the gradual abandonment of embankments which have come as a legacy to Government. Therefore, it is very difficult for Government to steer clear of both Scylla and Charybdis. On the one hand, one section is of opinion that the embankments should remain, while on the other hand another section takes Government to task for abandoning the embankments. As regards this particular embankment, I may inform the mover that a certain question was asked in this House by Rai Saheb Sarat Chandra Mukherji in March session of the Council in 1932, and the reply that was given explained fully and clearly the case. It was stated that from the results so far observed the restoration of the embankment besides stopping improvement will ultimately convert the area into an unhealthy morass. We have been told time after time the necessity of abandoning all embankments gradually. We have been told that by doing so we shall have the rich red silt-laden water flooding the area and making the land fertile and also will drive away malaria. Government would like to steer clear both of Scylla and Charybdis. They would like to steer a middle course. Government have neither lent a deaf ear to the clamour for abandoning the embankments nor have they lent a deaf ear to the clamour for keeping the embankments intact. What they are doing is that they are gradually abandoning the embankments where they have found that such abandonment would result in improving the localities and reclaiming the

swamps from being hot-bed of malaria. That is the principle that they have followed. I mentioned, when a certain interpellation was made by a member of this House, that inquiries were made on the spot and the result of the inquiry was given in reply to that member when he put the question. I do not think I need add anything more. I may assure my friend that Government will be pleased to do anything that will tend to lessen the hardship and certainly if Government thought that on account of gradual abandonment of the embankments it were necessary for the people to remove and start a colony elsewhere, Government would have given that advice. I think my friend, Mr. Banerji, will himself agree to make further inquiries, and those inquiries I am sure would result in his being told that the people are now convinced that the policy that is followed by Government is to their good. Such being the case, I do not think there is any need for me to explain further. With these words I oppose the motion.

Mr. P. Banerji's motion was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 5,000 under the head "15—Irrigation—Other revenue expenditure financed from ordinary revenue—A—Irrigation works" be reduced by Rs. 100 (establishment of a Hydraulic Research Laboratory in Bengal).

My motion is expressly for the purpose of helping the Hon'ble Member to steer clear of Scylla and Charybdis of which he has just been speaking. For the last 150 years the British Government in its irrigation policy has blundered on from mistake to mistake, from error to error. They did not know their own minds, they did not know what would be suitable to the country, they did not know which would help the peasantry in the countryside and which would not. They have wasted crores and crores of rupees in schemes, and all these in my submission could have been prevented if they had a properly equipped Hydraulic Research Laboratory. The idea is not a new one, it is not new to the Government. One of their principal officers, Sir Francis Spring, more than 30 years ago in his report to the Government of India suggested that in a riverine country like India a research laboratory was extremely necessary, nay essential. If I may take the time of the House in quoting one or two sentences from his book on "River Training and Control," I think the House will be convinced that the matter could not have been put in a stronger fashion by a higher authority. He says: "It is rather a strange thing in these days, when science is being applied to every walk of life for increasing human comfort, this problem of river control has never been scientifically studied in this country. The Government boasts of the amount

of beneficent public work for which it has been responsible. As trustees of so fine a property as this—canals and railways—it might not unreasonably be expected that the State would see the importance of devoting a comparatively small annual appropriation to original research, on lines likely to be productive of a good return for the expenditure, in the form either of reduction in the first cost of its public works or of their safety and their economical upkeep when built. Heretofore there has been no pretence of organising any such research, in connection with the engineering of the canals and railways of India. Engineers have gone blundering on, benefiting, rather by chance than by design, by the experience of their predecessors, and each considering himself lucky if he escapes disaster at the hands of the tremendous forces of nature." Further on he said that "to make matters worse it has constantly happened that, owing to climate, to the exigencies of public service, or to the supposed requirements of a graded establishment, no sooner does one engineer get some small inkling of the tricks of his mighty enemy than somebody else is sent to replace him with all his experience to gain." In this way time, money and energies of efficient officers of Government are wasted. The most recent example of this untrained experimentation is the great Hardinge Bridge. Though not under this Government, it vitally affects this province, and we all know how many crores of rupees were sunk on this bridge, and now the mighty river is making an attempt to change its course as it did several times during the past century, and there is the risk of the Hardinge Bridge standing high and dry on firm land. All this might have been avoided if there was a properly equipped Hydraulic Research Laboratory in Bengal. It is not that research laboratories do not exist in other countries. So far as I am aware there are at least six in Germany, two in Austria, one in Czecho Slovakia, one in Hungary, two in Soviet Russia, one in Sweeden, one in Norway, one in France, two in Italy, one in Holland and four in the United States of America. England has got none, but I do not know, probably the riverine problems of England did not require the necessity of such a Hydraulic Research Laboratory; but whatever civilised country you turn to, you will find that in order to deal with their riverine problems they do have such laboratories. I submit that the miseries of Western Bengal, the miseries of Central Bengal, the miseries of Eastern Bengal, all would have been avoided if there was a Hydraulic Research Laboratory under the Government of Bengal. A scheme to this effect was submitted to the Government of Bengal more than a year ago by my friend, Professor Dr. Maghnad Saha, Fellow of the Royal Society. It is more than a year since this scheme was made over to the Government, and we are still waiting for the reply. We do not know whether anything has been done or is contemplated in this direction. Instead of wasting crores and crores on schemes which do not come into fruition, if a portion of this money

is diverted for the purpose of this laboratory, I think it will be more benefit to the province and its inhabitants for generations and generations.

With these words I commend my motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Dr. NARESH CHANDRA SEN GUPTA: My friend, Mr. Narendra Kumar Basu, was not quite accurate when he said that, although Government had Dr. Meghnad Saha's proposal for over a year with them, yet we have had no reply from Government, or rather that the Government had not yet spoken their mind. Those who remember the debates on the Bengal Waterways Bill will remember that this proposal about a hydraulic research laboratory was brought forward by me in one of the amendments and I had then occasion to refer to Dr. Meghnad Saha's paper and to the quotations from experts which he had given there. The Hon'ble Member then gave the reply, I believe on behalf of the Government, and that was an opposition to that amendment. I suppose that we must take it that that is the reply which Dr. Meghnad Saha's scheme is going to have and no other reply is to be expected. Still I would ask the Hon'ble Member for once to wait before he turns down that proposal and to study for himself Dr. Saha's proposal which, I may tell him for his benefit, will be found printed in Sir P. C. Ray Commemoration Volume, and which has probably been also embodied and printed in the address which he delivered as President of the Indian Science Congress. If the Hon'ble Member will carry on his researches a little further, he will find that this question of a scientific study of the rivers assumed a rather acute form and even received attention from Government when there were those devastating floods in Northern Bengal. It was on the occasion of those floods that Dr. Meghnad Saha who was working with the relief parties first had his attention directed to the problem and then Government appointed at least a scientist to investigate this question scientifically and the result of that, a more or less perfunctory investigation, will be found embodied in a report by Mr. P. C. Mahalanobis. Well, that does not go very far and indeed it could not go very far because Mr. Mahalanobis had not the resources for making the necessary investigations. If the problem of the rivers in Bengal has got to be studied properly, it is absolutely essential that it should be studied scientifically. But instead of doing that, to proceed to take up a hole here and a canal there, and to try to play ducks and drakes with the water resources of the country, without an accurate scientific knowledge of those resources and how to control them, and to operate upon individual schemes only is simply to invite disaster.

My friend, Mr. Basu, has referred to the Sara Bridge and the vas amount which is promised to be wasted unless the Railway Board ha the same luck as the Hon'ble Member has had at Serajgunge, tha is to say, unless nature comes to the rescue. This disaster might hav been averted as Sir Charles Spring almost anticipated if there hac been a real scientific study of the water courses. Sir, there are twc kinds of scientific study of the water courses: one may be called the field study—study of the rivers themselves, that has got to be carried on for getting the necessary data, but then that takes a long time and involves patient research and you cannot expect rapid results. There is on the contrary the laboratory method, which is the device resorted to in America, Germany and elsewhere, which makes it possible to reproduce the conditions of the rivers in the laboratory and enables results to be arrived at which can be trusted to yield satisfactory conclusions. Sir, it has been pointed out by eminent scientists elsewhere that a sum of about 400 million dollars a year have been saved to the United States of America by these hydraulic research laboratories. So there is no reason whatever why we should not make a start with a hydraulic research laboratory in Bengal, because Bengal lives upon the rivers and its existence and well-being depend upon the rivers. And it is not such a costly scheme either, as even the maintenance of the dredgers. Dr. Meghnad Saha in his paper has estimated the cost of having a hydraulic research laboratory of this kind at Rs. 5 lakhs only, which sum is almost a flea-bite beside the maintenance cost of the dredgers. The recurring cost too is a figure which is very well within the resources of the Government of Bengal. Besides that, it is not necessary that this Government alone should take over the capital outlay necessary for the purpose; the study of the rivers of Bengal is as much necessary for the Government of Bengal as for the Government of India, which has got to study the rivers for the purpose of its railways, for instance, the Sara Bridge. The Hon'ble Member might send the hat round to the Government of India and I am sure the Government of India would not absolutely turn him back. Then, apart from that, there is another way of economising in the matter. If the Government cannot establish a research laboratory of its own, it can subsidise a laboratory in co-operation with the University. The Calcutta University has got certain resources, has got certain facilities for having a laboratory. Why not endow a Hydraulic Research Chair in the Calcutta University with the assistance of the Government of India? It is all so easy to do that, if only they have the will to do. If you have a will to do it, you will find that the results will amply reward the outlay. Sir, on this point I venture to express an opinion because I have been supported here by such an eminent scientist as Dr. Meghnad Saha, such eminent engineers as Sir Frederick Spring and others and by the fact that Hopkyns Committee itself animadverted upon the unscientific methods of the

Government of Bengal in dealing with the river problems of this province as contrasted with the methods of the Punjab Government in dealing with the Indus basin. It will be interesting to the Hon'ble Member to learn that although they have not a hydraulic research laboratory in the Punjab, they have got scientists studying the river systems of that province and what is more, one of them is a distinguished scientist hailing from Bengal.

The Hon'ble Alhadj Nawab Bahadur Sir ABDEL KERIM GHUZNAVI, of Dilduar: Mr. President, Sir, at the outset I must point out to the House that Dr. Sen Gupta is not competent to correct our good friend, Mr. N. K. Basu. He attempted to correct Mr. N. K. Basu but I think that what Mr. Basu said was perfectly correct. I may say this that Mr. Basu did me the honour of presenting me with a copy of a long and exhaustive note written by Professor Saha which I read with profit and interest. Mr. Basu presented me this in an informal way and I read it with great interest. I may say at once this question of Hydraulic Laboratory has my full sympathy. What has been said by the mover of this motion and my good friend, the Doctor, shows very clearly that they take considerable interest in the matter. Dr. Sen Gupta in his speech has amply proved that he has considerable knowledge of irrigation matters and he takes a good deal of interest in all matters under the sun, particularly of a scientific nature. His knowledge and interest are very helpful to us. He also recalled to us that fact that while we were discussing the Waterways Trust Bill he happened to enlarge on this very subject which seems to be so much dear to him. On that occasion he complained that the Hon'ble Member in charge—meaning my humble self—turned the proposal down. It is true that I turned it down at that time, because I felt that if his proposal were accepted it would have saddled the Waterways Trust with statutory instructions for setting up a Hydraulic Laboratory. It is always open to the Waterways Trust to take up this question at any time it pleases. The good Doctor is correct in referring to the fact that the Hopkyns Committee examined this question. That Committee not only referred to this matter but has devoted three or four paragraphs to it. It says: "Before, however, such action can safely be taken a complete hydraulic survey of the rivers in the districts in question is required, as is also a contoured map of the portion of them through which the Nadia rivers flow." Well, these words are very pregnant. I entirely agree with the idea that a hydraulic survey as well as a laboratory in that connection are essential. Such disasters as have been mentioned by the learned Doctor—I refer to the Hardinge Bridge at Sara—are few and far between. It is all very good to cite such isolated cases. But the question of questions is when he talks of Rs. 5 lakhs as being a mere flea-bite, I join issue with him, because at the present moment my good

friend and colleague, the Hon'ble the Finance Member, is faced with a dire state, and Government are anxious to save even five rupees. I cherish the hope that the Waterways Trust when it begins to function will no doubt take up this question.

Well, Sir, I should like to mention also that Government have not been quite blind to the advantages of looking at these things from the scientific point of view. We do pay Rs. 2,000 yearly towards the cost of the Irrigation Bureau, and the Chief Engineer goes every year to attend the meetings which are sometimes held at Delhi and sometimes at Simla and I believe this year the meeting will be held in Calcutta. If non-officials are willing to attend such meetings, I would request the Chief Engineer to invite Mr. N. K. Basu and Dr. Sen Gupta to be present at those meetings, because they will have ample scope there to ventilate their views on matters on which they have enlarged so eloquently here to-day. I again emphasise that Government are not blind to that aspect of the question to which reference has been made.

Then again the good Doctor has told us about the saving that have been affected in the United States of America and if I have heard him aright it is an enormous sum—4½ million dollars. I am quite sure that if a hundredth part of that amount of it were available, we could easily save our rivers. The subject has my sympathy, but it is no use crying that Government have done nothing to save the dying and decadent rivers of Bengal. I assure the House that I shall look into this matter personally. Some time back I discussed this question with another eminent scholar, *viz.*, Professor P. C. Mahalanobis. I have not the least doubt that this question will be taken up by the Waterways Trust in right earnest when it begins to function. With this assurance, Sir, I hope Mr. N. K. Basu will not press his motion to the vote.

Mr. NARENDRA KUMAR BASU: Sir, after the assurance given by the Hon'ble Member I beg leave to withdraw the motion.

Mr. Narendra Kumar Basu's motion was then by leave of the House withdrawn.

Babu SATYA KINKAR SAHANA: Mr. President, Sir, I beg to move that the demand of Rs. 5,37,700 under the head "15—Irrigation —Maintenance and repairs" be reduced by Rs. 100 (irrigation in Bankura).

Sir, I move this cut motion with the object of drawing the attention of the Hon'ble Member in charge of the Irrigation Department to the deplorable condition of irrigation in the district of Bankura. The sources of irrigation in that district as is well known to the Hon'ble Member are ponds, tanks, one *khal* christened after the name of Subhankar, and we have in addition two weirs, one at Shalboni and

another at Panchmuri which have been erected by the Co-operative Irrigation Societies. There is another source which, I think, I should mention. It is the weeping eyes of the peasantry which moisten the hard and arid soil of Bankura. The amenities of the district of Bankura are not very well known to the members of this House, but it is well known to students of history. According to historical records we find that Bankura was one of the most flourishing districts of Bengal and formed an advanced part of the country. It was in 1760 —

Maulvi ABUL KASEM: On a point of order, Sir. Are we here to listen to a discourse on the history of the Bankura district? The time is very short for dealing with many important items.

Mr. PRESIDENT: Let him have his own way. Go on with your speech, Mr. Sahana, but let not ancient history swallow up all your time. (Laughter.)

Babu SATYA KINKAR SAHANA: As I was saying, Sir, the ponds and tanks have not been looked after or properly maintained or repaired. That is the point I was driving at. The Subhankar Daura is now in such a condition that its existence cannot be properly made out except with the help of powerful glasses and microscopes. Those tanks used to supply water not only for irrigation but also for drinking and washing purposes and most of them have now silted up and the bunds broken. The paucity of water in tanks, etc., is responsible for much hardship: even agriculture has deteriorated to such an extent that the district does not produce sufficient food crops for the inhabitants. Only 48 *per cent.* of the acreage of the district are now under cultivation while 52 *per cent.* has gone beyond the reach of the plough, and they are lying fallow for want of water. The Irrigation Department has done very little for improving the condition of the irrigation of the district. This year I put a question to know what amount has been spent for improving the irrigation of the district of Bankura since the inauguration of the Irrigation Department. But unfortunately for me the Hon'ble President smelt an irony in that and that question was disallowed, though in my rustic intelligence I cannot see where the irony lay.

Maulvi ABUL KASEM: On a point of order, Sir, I understand that the Parliamentary procedure is that if any question is disallowed by the Speaker then any reference to it or public announcement either in the newspaper or in public is improper, so this should not be allowed and this was the ruling previously in this Council.

Babu SATYA KINKAR BAHANA: On a point of explanation, Sir. I made no complaint. I only mentioned it because it was disallowed.

Mr. PRESIDENT: When a question is being examined by the President it cannot be given publicity to in a newspaper. That is positively against the Parliamentary practice and the practice of this House. But, provided the member does not discuss the ruling of the Chair on any decision he has given, an aggrieved member whose question has been disallowed may raise it as a question of privilege on the floor of the House with a view to elicit further light from the Chair. It may then appear in the newspapers.

Mr. PRESIDENT: (to Mr. Sahana) I think you have realised what I have said. The manner in which you raised the point was not proper and you should not do so again. Do you agree?

Babu SATYA KINKAR SAHANA: Yes, Sir.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 15th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 15th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 110 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Détenu Babu Anil Koomar Biswas.

*116. **Babu PREMHARI BARMAN:** (*a*) Is the Hon'ble Member in charge of the Political Department aware that whether Babu Anil Koomar Biswas, a pleader practising in the District Court at Dinajpur, was placed under arrest under the Bengal Criminal Law Amendment Act, 1930, and has been kept in internment at his residential house at Balubari, Dinajpur town?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) since when has he been placed under internment; and

(*ii*) whether under the terms of the detention order served upon him he is entitled to carry on his profession as a pleader?

(*c*) Is the Hon'ble Member aware that he has been ordered to pay no visit to nor to receive visits from any person who is not a permanent resident within the limits of Balubari, Dinajpur town, and to deliver unopened all communications received from any source whatever to the officer in charge of the Kotwali police-station, Dinajpur?

(*d*) Is it a fact that the said Babu Anil Koomar Biswas submitted three petitions one after another to the Government praying for a suitable monthly allowance for the maintenance of himself, his family and dependants?

(*e*) If the answer to (*d*) is in the affirmative, what is the result of his petitions?

(*f*) Are the Government considering the desirability of giving an allowance for the maintenance of the détenu, his family and dependants? If not, why not?

MEMBER in charge of POLITICAL DERARTMENT (the Hon'ble Mr. R. N. Reid): (*a*) Yes.

(*b*) (*i*) 7th September, 1933.

(*ii*) No.

(*c*) Yes.

(*d*) One petition on this subject was received from the détenu through the District Magistrate, Dinajpur, on the 19th December, 1933, and another from his wife on the 3rd February, 1934. No other petitions were received.

(*e*) and (*f*) An allowance has already been sanctioned with effect from the 8th September, 1933.

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

XII, 15, 15(1), 16 and 55—Irrigation.

MOTIONS FOR REDUCTION.

Mr. PRESIDENT: I suppose we had not finished item No. 166 when we adjourned last night. Mr. Sahana, I believe, was in possession of the House.

Babu SATYA KINKAR SAHANA: Sir, I was speaking about the condition of irrigation in the district of Bankura. The main sources of irrigation there are bunds and tanks and they are not in good condition. The Irrigation Department placed some engineers in the district town to prepare plans of a canal for joining the Damodar river with Darakeshwar. That plan was prepared a few years back but up till now it has not been given effect to. The only canal—*Suvankari Danra* that has been there all along is not in a proper condition. The tanks are in such a condition that they do not hold half of the water which they used to hold formerly. Under these circumstances I would request the Hon'ble Member that a little more attention be paid to the irrigation question of the dry district of Bankura and that some more money be spent there for that purpose.

Maulvi ABUL KASEM: Sir, I oppose the motion moved by my friend, Mr. Sahana. Sir, I had represented the district of Bankura in one legislature or other for the last 21 years and I can say that my friend has absolutely no grievance. It is not the duty of the provincial government to go about excavating irrigation tanks whether they are associated with the names of great mathematician or famous scientist. Sir, yesterday we we entertained with a chapter of ancient history and a little bit of poetry——

Babu SATYA KINKAR SAHANA: On a point of order, Sir. May I ask the hon'ble member how many hours he has spent in Bankura in his life.

Mr. PRESIDENT: That is not a point of order. But I would ask Maulvi Abul Kasem not to refer to those things again. He had enough of it yesterday if I remember aright.

Maulvi ABUL KASEM: Very well, Sir. The Irrigation Department are not concerned with irrigation tanks of Bankura or any other district and they cannot be asked to do something for which Government have already made ample provision—I refer to the Bengal Village Agriculture and Improvement Act of 1916. That Act was passed solely for the purpose of providing facilities for irrigation by the people of various districts. The question for the Government to consider is the broad question of irrigation and also that the question of the means of irrigation which have deterioriated on account of the neglect on the part of Government. It is not the duty of the Government nor would the Government be justified in spending the provincial revenue for the purpose of re-excavating irrigation tanks in the various local areas. If the people cannot take action under Act of 1916 then it is their own fault and they must suffer for that. I think it will serve no useful purpose by discussing it in the Legislative Council. For these reasons I oppose the motion.

The Hon'ble Sir A. K. GHUZNAVI: Sir, I guess my friend, Mr. Sahana, is a student of archæology and ancient history. He took the members of the House back to, I do not know how many years, in the regions of past history. I am afraid I cannot follow him back to that distance and, therefore, I propose to confine myself to recent times In spite of what Maulvi Abul Kasem has said, Government in a manner have gone out of their way to do something with regard to these tanks and bunds and that not very long ago. Mr. Sahana only the other day put a question in this House to elicit certain information with regard to this matter and I shall refer to what I told him on that occasion. The actual facts are that as recently as 1915-16 and 1919, 18 irrigation tanks and bunds were re-excavated or constructed by Government. In recent years the Co-operative Department have

organised societies for tanks and bunds schemes. Further, the question of improving tanks and bunds particularly in Bankura is also under the consideration of the Government and meanwhile the Collector of Bankura has taken steps by voluntary methods to excavate tanks and to organise co-operative societies. Such being the case I certainly agree with Maulvi Abul Kasem that my friend cannot have any grievance. Attention has been paid, is being paid and will be paid to this matter. It is only last evening that I had the privilege of referring in this House to the new orientation in the policy of the department—and I wish my friend Khan Bahadur Azizul Haque had been present to listen to what I was saying and I am sure it would have gladdened his heart because I know that he is very keen with regard to our paying attention to small projects rather than spending large sums of money on big projects. Such being the policy now, Mr. Sahana can very well rest assured that Government are not going to be oblivious of their duty so far as his district is concerned. I am quite willing to assure him again that the matter is being considered at the present moment and if he feels satisfied he is at liberty to withdraw his motion otherwise I shall be compelled to oppose it.

Babu SATYA KINKAR SAHANA: Sir, on the assurance given by the Hon'ble Member, I beg to withdraw my motion.

Babu Satya Kinkar Sahana's motion was by the leave of the House withdrawn.

Mr. PRESIDENT: I propose to have one discussion on items 167 and 168 as they both deal with the irrigation problems.

I feel inclined to take up at this stage all the motions which deal with reclamation of smaller waterways. I do not know whether the Hon'ble Member agrees with me but it will enable him to make one reply.

The Hon'ble Sir A. K. GHUZNAVI: I have no objection.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I beg to move that the demand of Rs. 9,13,000 under the head "15—Irrigation" be reduced by Rs. 100 (failure to tackle the irrigation problems of Bengal).

Sir, I tabled this motion with a view to discuss the failure of the Irrigation Department to tackle the irrigation problems of Bengal. The other day while moving my resolution on this subject and on each session of the Council, whenever I got the slightest opportunity, I tried my best to impress upon the House the urgent need of the resuscitation of the dead and dying rivers of Bengal. This was one of the greatest problems which confronted Bengal and I think it required early solution. The official reply that all that is possible is being done cannot be accepted as correct. They have not up till now touched even the fringe

of the problem. Not a finger has been raised to save the dead and dying rivers. On more occasions than one, I have tried my level best to draw attention of this House about the deplorable condition of the countryside in West Bengal brought about by the silting up of river beds. I have witnessed the true state of things with my own eyes during my excursions in the interior specially in those places which are not easily accessible. Sir, the other day I tried to show how the health and wealth of the people have deteriorated to an alarming extent due to the criminal negligence of Government to keep alive the rivers. Sir, I was not a little amused to hear from the Hon'ble Irrigation Member in reply to a question by Dr. Sen Gupta just three weeks ago that he was doubtful whether the silting up of the Saraswati river has affected the health of the locality. The reply showed his colossal ignorance about the havoc caused to the surrounding countryside by the silting up of the Saraswati river, which was once a mighty river capable of accommodating sea-going vessels alongside its river wall where they discharged their cargoes. In fact Saptagram which stood on its banks was the ancient royal port of Bengal. It held the position which Calcutta holds to-day. Roman and Phœnician ships laden with cargoes used to frequent this port. It had maritime connections with Sumatra, Java and the Spice Islands. It was the '*fauces regia*' of the ancient Romans. It was described as an important seat of commerce. It is now in ruins inhabited by the denizens of the forest. The silting up of the Saraswati is the direct cause of the prevalence of malaria in the villages which stood on its bank which has in fact devastated a considerable portion of the district. A health survey of the villages on the banks of the Saraswati was undertaken by the District Board of Hooghly a year or two ago and it disclosed a lamentable state of things. The spleen index of the sparse population did not inspire us with any hope either for the present or the future and yet our *subjunta* Irrigation Member would not admit stern realities, but would try to mislead the House. The transference of a member to that august seat in the Treasury Bench cannot transform one into a superman, an expert in everything as are assumed by them. Mere empty words will not satisfy us. We had enough of them. We want substantial work. Year in and year out we have become accustomed to see the same neglect and indifference on the part of the Irrigation Department to our river system. For the last quarter of a century although a lay man I have studied the irrigation problem of Western Bengal with more than ordinary interest. I have visited most of the places several times, the last a few months ago and I intend to revisit the most inaccessible places a fortnight hence, and I expect to see the continuance of the same neglect and indifference on the part of the Irrigation Department. "Do nothing" is perhaps the motto written large on the walls of the Irrigation Department in the Secretariat.

The other day the Hon'ble Irrigation Member was kind enough to extend his invitation to me on the floor of this House to visit the Damodar Canal. Yes, I shall be glad to visit it but Sir, may I ask where shall he get the water to make the canal flow throughout the year unless the huge waste of water power is restricted during the Damodar floods and reservoirs are constructed to store them up for making the canals flow during the dry months. If that is not done it would turn into another piece of engineering folly and would be mere waste of public funds.

The Hon'ble Irrigation Member told us the other day that the Bengal Waterways Bill passed during the present session of the Council will solve not only the problem of navigation but also of irrigation. According to him it would be the panacea of all ills we suffered from. But, Sir, what does the preamble of the Bill indicate? It has been set forth in clear and unambiguous language that the Bill is intended "to make better provision for the maintenance and improvement of waterways in Bengal for purposes of navigation" and not for purposes of irrigation. Thus Sir, the Bill does not go very far. I can assure this House that so far as the Western Bengal rivers are concerned no substantial benefit will accrue from the provisions of the Bill. The toll and the tax which will be levied on steamer companies will be utilised by the Waterways Board to keep the waterways used by those taxpayers navigable throughout the year. This may benefit some of the navigable routes in East Bengal but will be of little help in the resuscitation of the dead and dying rivers of West Bengal. Such sort of bluff cannot satisfy us.

The other day when in the absence of any better scheme I asked the Hon'ble Irrigation Member to give the Irrigation Scheme prepared by the late Sir William Willcocks a trial by raising a loan, he did not hesitate to discredit it as being impractical and he emphasised that the estimates were far below the actuals. For the sake of argument let me admit all that he has said to be correct. But, Sir, may I once again ask has he got any other better scheme ready at his elbow? Has he ever given any serious thought to the great problem, on the solution of which depended the welfare of the people of West Bengal? I am afraid not. The late Sir William Willcocks might have given his benedictions over the Waterways Bill but that will not help in the least the solution of the problem which confronted West Bengal. Jugglery of words can deceive us once or twice but not always. The masterly inactivity of the Irrigation Department has wrought havoc in East Bengal. Pray do not perpetuate your "do nothing" policy. Be sincere and honest and try to do something substantial to keep alive the dead and dying rivers. In the name of humanity and in the name of all that is good and great I once more appeal to you to leave aside inertia and bestir yourself to save West

Bengal from death desolation and ruin which have already made rapid strides. Sir, In this connection I would like to urge a particular matter which is of urgent importance. This is with regard to the flooded area lying on the northern and eastern sides of the Kristopore Canal within the Rajarhat police-station in the district of 24-Parganas. Sir, this place is within a distance of a few miles from Calcutta. Sir, it is within the living memory of many of us that there used to be good cultivation in the area only a few years ago, but Sir, since the construction of Kristopore Canal this area has lost all its charm and remain submerged under water all the year round, and the distress of the people can be more imagined than described.

Sir, originally the excess water of this place used to pass through the salt lake into the Bidyadhari River but the Kristopur canal which separates this area from the salt lake has effectively obstructed the natural drainage of this place and as a consequence of it, water becomes accumulated in this area every year causing serious damage to the standing crops, if there is any at all. Sir, last year there was a heavy flood in this area and many members have visited the spot and the distress of the people. Relief centres had to be opened by the Agarwal Sava and the Government advanced loans to the people.

Sir, it is also admitted by the Government that the Kristopore Canal has been a source of obstruction to the drainage of this place, but the Government did not take any steps so long. Sir, it is very recently that an agitation having been set on foot by the people interested in these places with Dr. U. C. Samanta and Babu Nripendra Nath Sen at their head, the Hon'ble Member visited the spot personally and investigated the matter thoroughly.

Sir, here we take the first opportunity of offering our heartfelt congratulations to the Hon'ble Member for the step he has taken in this matter. Sir, the Hon'ble Member has provided in this year's budget a sum of Rs. 1,89,000 for the improvement of the canal so that the annual recurrence of flood in this area will be permanently prevented. And we hope, Sir, the department will soon carry out the execution of the works for which the money has been provided in the budget.

But, Sir, our grievance is that the full and complete final drainage has not been done, though the canal was closed to the boat traffic for about a fortnight only in the latter part of February last. Sir there still remains about 2½ to 3 feet of water on the surrounding fields and there is hardly any chance of its being dried up soon for making the lands fit for cultivation. The consequence will be that there will be no cultivation at all in this area next year and the sufferings of the people will know no bounds. Sir, the final drainage used to be done in this area every year in the month of November when about a foot and a half of water only remained in the fields. So, Sir, there was sufficient time available from November for that much of water getting

dried up before the actual cultivation began. Sir, this year the final drainage was undertaken at a very late stage *i.e.*, nearly 3 months after and even that was only for a few days while leaving so much water in the fields that there is absolutely no chance of their getting dried up before cultivation. Such being the case, it is apprehended that there will be no cultivation at all. Rainy season will soon set in and destroy all hopes of the people. Sir, the Hon'ble Member ought to realise the situation and do the needful at once. Else there is no use of spending so much money provided in the budget. It is better that the Council should not give any sanction to the money provided in the budget for this purpose because we know that this money will be spent for the improvement of the navigation in the canal and not at all for the prevention of flood in the affected areas as has been declared by the Hon'ble Member in charge of the Irrigation Department.

Sir, if it is the intention of the Government to do any good to the suffering people, let them at once declare in this House that the full and complete final drainage will be done in about a week's time by closing the canal to boat traffic for about a fortnight more. Sir, we want the fields getting so dried up as to make them ready for cultivation work. If this is not done, we fail to understand how the Government could expect to realise the loans advanced to the people in this area. Sir, full and complete drainage is absolutely necessary in the interests of the Government as well as of the people. So long this is not done, we the members of this House are bound to oppose the sum provided in the budget for this purpose.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I beg to move that the demand of Rs. 9,13,000 under the head "15—Irrigation" be reduced by Re. 1.

Sir, I do not agree with my friend Munindra Deb Rai Mahasai that there has not recently been an orientation in the policy of the department. The hon'ble member referred to me in his speech and I must acknowledge that there are certainly signs in the Irrigation Department of a change of policy as regards the improvement of smaller waterways. Sir, my intention in giving notice of this amendment is this: Now that the situation has been cleared by dividing the work of navigation and irrigation, the department can now pay more attention to the smaller rivers. But unfortunately the Finance Member has allowed only a small sum of Rs. 5,000 for these smaller waterways. I wish that the Government had paid more money and I do hope that they will do so in order that people affected may contribute adequately and with the help of the Government aid might improve these smaller waterways. Sir, I need not take up time of the House needlessly, but I hope and feel that Government will try as soon as the finance is improved to put more money into these projects. Sir, I believe the Finance Member has always some money

up in his sleeve and I only hope that in the latter part of the year the smaller waterways will have adequate share of that money. I would just like to mention another point. I do not agree that these waterways solely concern the Eastern Bengal districts. They do so mainly of course, but there are districts in Western Bengal—particularly the Nuddea rivers which will be greatly benefited by the new policy of the department.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I move that the demand of Rs. 23,79,000 under the head "15—Irrigation and XIII—Working expenses" be reduced by Rs. 100.

As has been mentioned by my friend Munindra Deb Rai Mahasai and as I have also said before that in the Waterways Bill little or no provision has been made for the purpose of improving the condition of the non-navigable rivers of the Western Bengal but I cannot join with my friend in his criticisms of the policy of the Irrigation Member. I do not think that he can be blamed for the policy which has been existing in the department from time immemorial. Sir, most of the irrigation projects are in Western Bengal, and although I think most of them are of doubtful utility so far as the people are concerned, still we must be grateful for small mercies. The real thing about which we can blame the department is that they are not paying proper attention to the indigenous system of irrigation in West Bengal districts, namely, tank irrigation. Government have more recently started a big project, namely, the Damodar Canal, which is supposed to benefit a large number of people. I want to draw the attention of the Hon'ble Member to the fact that in moulding his policy with regard to irrigation it is necessary that he should take into confidence the people of West Bengal to whom perhaps the question of irrigation is of much more importance than the people of Eastern Bengal. I wish to place before the House our obligation to the Hon'ble Member for what he has done as regards the Kristopore canal. I say not only on behalf of myself but also on behalf of the people of Kristopore that we are very much grateful to the Hon'ble Member and his department for the prompt action which has been taken to relieve the suffering of the people, and the fact that even in these days of financial difficulties they have managed to earmark so much as Rs. 1,89 thousand for the particular purpose shows their earnestness in this respect. With these few words I commend my motion to the acceptance of the House.

Rai Bahadur SATYENDRA KUMAR DAS: Sir, I rise to support the motion moved by Munindra Deb Rai Mahasai. At the very outset I must confess that it seems rather inconsistent when we cry for irrigation and at the same time, refuse the grant of expenditure for

it. I am conscious of this illogical position, which we are forced to take up, but Sir, the inconsistency to which I referred is not real but apparent. We know full well that if this Rs. 9,13,000 is granted, still nothing will be done even for the partial realisation of what we want, such is the cruel and mysterious process of this department. We tried our level best to put this department in order. We suggested constructive plans, we pointed to the unnecessary extravagant and unproductive expenses, but Sir, to my utter regret I must confess that this department is incorrigible. I may be pardoned to say that there is no brain behind this department, it is only a sheer waste of money to run this department any further. No purpose is being served by this department; then why the Government is going to maintain it. This department has got no claim or justification for its existence, if it is not only for maintaining a dignified but useless and inefficient portion of the administrative machinery, there is, I repeat, no justification for the existence of this department. Its total abolition is long overdue and I find no hesitation to say that this department must be abolished at once in the interest of public money.

Maulvi ABUL KASEM: I do not think I shall be justified in taking much time of the House. While dissociating myself from every word of condemnation and satire passed by Munindra Deb Rai Mahasai about the Hon'ble Member in charge I rise to support him. But in the first place I must gratefully acknowledge that since the present Hon'ble Member came at the helm of this department, this department has looked up and is active. If for centuries together the Irrigation Department of the Government of Bengal was sleeping, it is not the Hon'ble Member who is responsible for that. At the same time I want to draw the attention of the treasury benches and of this House that we in the Burdwan Division suffer from misfortune due not to our neglect but to Government action. For the protection of the port of Calcutta or for the dredging of the port of Calcutta the people of Burdwan are made to suffer. We the people of the *mufassal* are made to pay for the glory and comfort and amenities of the city of Calcutta. The rivers of Bengal are all silted up not by any action on our part, but for the fact that they are bottle-necked and the water that comes cannot flow into the Ganges. Most of these rivers are hill-fed rivers and carry sand with them and Government do not like that the sand should come to the port of Calcutta. For these reasons Government who have placed us in this position are morally and legally bound to repair the loss that they have done. At the time of the Permanent Settlement we were living in a very fertile country and we were made to pay for the settlement in the hope that we would be benefited by it, but actually we did not get any benefit. I therefore ask that Government should take immediate action for removing our grievances even at the cost of the port of Calcutta.

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: Mr. President, Sir, we have been hearing time after time the cry of delay and negligence and things of that kind from our friend Munindra Deb Rai Mahasai. This has now been echoed by Rai Bahadur Satyendra Kumar Das of Dacca. I do not wonder that he should call the department incorrigible. I am inclined to remind him of the fact that it is he who opposed the measure which was for the benefit of the whole country, namely, the Waterways Trust. That has amply proclaimed the value of his opinion so far as this department is concerned and I have no desire to labour the point any further. With regard to the Rai Bahadur, I have known his father, and his grandfather too and I therefore do not wonder.

It is refreshing to hear in a way once a few words said about the Irrigation Department that that department has been able to do a few things here and there. The Rai Mahasai must stand corrected. He said that the Hon'ble Member in charge of Irrigation while dealing with the Waterways Trust is supposed to have declared that that Trust will deal not only with irrigation but also with navigation. I said nothing of the kind. I think the members of the House will realise that the statement made by him could not be correct. The Waterways Trust is intended to busy itself in the direction of improving the waterways of Bengal and not irrigation. If the Rai Mahasai had taken the trouble of studying this report he would have found that the expert committee who submitted the report made it clear that after the Waterways Trust was formed it would be the business of Government to pay its attention to other problems, namely, irrigation, embankment and drainage. If he would turn to the latter portion of the report, he will find it clearly and unmistakably stated there. If he would only recall what fell from Khan Bahadur Azizul Haque, he will remember that this question was raised by him and he referred to the report of the expert committee where it was stated that a committee should be constituted consisting of certain officials in order to advise the Minister who might later on be in charge of this department, and that referred entirely to the question of irrigation, embankment and drainage. So much for that. Then full and sufficient reply has been given to Rai Mahasai's fulminations by Khan Bahadur Abdul Momin when he referred to the efforts made by this department and the Hon'ble Member in charge with regard to the question of overflooding of the area north of the Kristopore canal. I do not think it is necessary for me to say anything about it.

Now I would refer to the question of tackling small schemes which I think really is the most important of all and I can assure the Khan Bahadur that he has my full sympathy and that more money should be spent on those schemes. It has always been my desire to distribute

the activities of Government as far as possible and not confine them to one district only.

(The time-limit having been reached the Hon'ble Member resumed his seat.)

Munindra Deb Rai Mahasai's motion being put a division was taken with the following result:—

AYES.

Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Ahsar.
Das, Rai Bahadur Satyendra Kumar.
Ghose, Dr. Amulya Ratan.
Guha, Babu Profulla Kumar.
Hakim, Maulvi Abdul.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Poddar, Seth Hanuman Prosad.
Rai Mahasai, Munindra Deb.
Ray, Babu Ameiyadhan.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekharaswar.
Rout, Babu Hosni.
Ray, Mr. Sarat Kumar.
Shah, Maulvi Abdul Hamid.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ashworth, Mr. C. B.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Saret Chandra.
Barman, Babu Premhari.
Barma, Rai Sahib Panchanan.
Basir Uddin, Khan Sahib Maulvi Mohammad.
Bose, Mr. S. M.
Bottamley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Cohen, Mr. D. J.
Curry, Mr. T. A.
Das, Rai Bahadur Kamini Kumar.
Dutt, Mr. G. S.
Edgley, Mr. N. S. A.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. R. N.
Ghose, the Hon'ble Sir Charu Chunder.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dilduar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Maazzam Ali.
Khan, Mr. Razaur Rahman.
Khan, Maulvi Yamizuddin.
Maguire, Mr. L. T.
Martin, Mr. C. M.
Mitter, Mr. S. C.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhyaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Reverend S. A.
Nag, Babu Suk Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nicholl, Mr. C. K.
Quasem, Maulvi Abul.
Rahaem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Nagendra Narayan.
Ray Chaudhury, Mr. K. C.
Reid, the Hon'ble R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Saileswar Singh.
Ray Choudhuri, Babu Hem Chandra.
Sandatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. B. R.
Solaiman, Maulvi Muhammad.
Steven, Mr. J. V. R.
Sumner, Mr. C. R.
Townend, Mr. H. P. V.
Walker, Mr. W. A. M.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

Ayes being 20 and Noes 67 the motion was lost.

Khan Bahadur Maulvi AZIZUL HAQUE: I crave leave of the House to withdraw my motion No. 174.

The motion was, by leave of the House, withdrawn.

Khan Bahadur MUHAMMAD ABDUL MOMIN: In view of the fact that the Hon'ble Member has given me no assurance I withdraw my motion No. 180.

Mr. PRESIDENT: That is a very fine way of making the withdrawal unconditional. (Laughter.)

The motion was then by leave of the House withdrawn.

The main demand of the Hon'ble the Irrigation Member under "XIII, 15, 15(1), 16 and 55—Irrigation" was then put and agreed to.

DEMAND FOR GRANT.

20—Interest on other obligations.

The Hon'ble Mr. A. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,000 be granted for expenditure under the head "20—Interest on other obligations."

The motion was put and agreed to.

DEMAND FOR GRANT.

22.—General Administration.

The Hon'ble Mr. R. N. REID: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 98,14,000 be granted for expenditure under the head "22—General Administration."

The demand under this head covers so many and so varied items of expenditure that I do not propose to make a speech.

Mr. PRESIDENT: I will now take up motions for reduction or refusal.

MOTIONS FOR REDUCTION OR REFUSAL.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 45,140 under the head "22A—Staff and household of the Governor —Band establishment" be reduced by Rs. 9,140.

Sir, the Hon'ble Mr. R. N. Reid has approached us this afternoon for a grant of Rs. 45,140 for the band establishment of no less a personage than His Excellency the Governor of Bengal. One would therefore feel naturally diffident to criticise at length this matter but privileged as we are in this House to ask the Hon'ble Member to justify his demand even though it be in the interest of the highest in the land I make bold to offer some remarks for his consideration and hope that if he finds substance in my remarks he will not hesitate to accept my motion which has been brought on purely economic grounds. I think the Hon'ble Member will agree with me that the country especially Bengal is passing through a critical juncture. The money market to-day has become extremely dull. Trade and commerce have become uncertain. There is lull everywhere. The prices of jute, paddy and tobacco, the principal crops of Bengal and which are the only sources of Government revenue here have gone down inconceivably, so much so that the cultivators hardly get enough money to meet the cost of cultivation. So the great and the low, landlords and tenants, creditors and debtors have come to the same plight. The advanced classes so long exploited the cultivators and now Providence has called them to pay their penalty. The exploiters may yet survive for some time but the exploited cannot. They have already come to the verge of starvation. There are numberless people now who do not always get one meal a day. The bewailings and bemoanings in their huts penetrate the inner feelings of even an adamantine heart. It would surely melt the soft heart of His Excellency the Governor and Mr. R. N. Reid if they could ever find themselves amongst those unfortunate folks getting away from the bustle of this town life which leaves them no opportunity of seeing things in their true perspective. Theatres, bioscopes, operas, cinemas and race courses absorb the attention of the people in town and bewailings and bemoanings overwhelm the people with grief and sorrow in the countryside.

I ask the Hon'ble Member to picture in his mind a faithful spectacle of the countryside and then make up his mind either to insist on his demand or abandon it wholly or at least partially and that for the year under review. Our King should be an ideal King and the representatives of our King in the province should also be ideal. He should live not for himself but for those who are destined to be placed under his governmental control. He should always cherish the good-will of the people to get their good-will in return. It is on this mutual good-will that peace and prosperity of the country depends and it is upon this good-will that relation between the ruler and the ruled becomes permanent and secure, and what is called in Bengali (মধুর) sweet.

According to modern convention certain outward manifestations may be necessary for the pomp and grandeur attached to the office of a Governor, but certainly those are superfluities which can be pruned down without detracting from the majesty of a provincial ruler particularly at a time when the country's future is enveloped in darkness.

The band establishment appears to be a relic of the practice of Moghul emperors who used to employ the services of bards, eulogists, clowns and buffoons to add to their pleasure and enjoyment without interfering with the comforts of the people. The country then used to flow with milk and honey, nature's gift was plenty and bounteous, poverty was unknown and the people never grudged a superfluous expenditure for their King who undertook the solemn duty of protecting his subjects from hunger, starvation, pestilence and other natural calamities. But those halcyon days are no more. The country has now come to such a pass that thousands of people are going from door to door for a morsel of food. The people have been denuded of means, villagers are turned adrift. They are hungry and stripped of clothes. Their wives and children raise a chorus of wail being driven by hunger. Their haggard look excites pity and sympathy.

When the country is passing through such a fearful catastrophy is it meet and proper that His Excellency the Governor should have an amazing sum of Rs 45,140 to maintain a band establishment which is out and out a luxury? There is a cry of ruthless retrenchment and the Government have accepted the recommendation of the Retrenchment Committee partially and reduced the expenditure under various heads which but for economy would have been proper. Is it not then the proper time that His Excellency the Governor should take the lead and show how all round economy can be effected. Example is better than precept. I appeal to His Excellency the Governor through the Hon'ble Mr. Reid to consider whether His Excellency can forego his demand for band establishment partially and then allow this money to be saved to be devoted to a cause which His Excellency will think will benefit the poor. Now Sir, I have proposed a cut of Rs. 9,140 only against his demand for Rs. 45,140, so if my motion is accepted His Excellency the Governor will have yet Rs. 36,000 for his band establishment which after all is not a paltry sum—nay it is a sum equal to the salary for a year of our President who is the custodian of this august Council House. Now before resuming my seat I may beseach the Hon'ble Member moving the grant to calmly consider the matter and think whether with the money available according to my suggestion he cannot arrange for making up a tolerable tune to time with the exigencies of the time and at the same time befitting the majesty of our Provincial Ruler. As mine is an economic cut, I hope all sections of the House—officials

and non-officials, Europeans and Indians—will kindly see their way to support me.

With these few words, Sir, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: Mr. President, Sir, I am sorry that I must say something in defence of the Moghul Emperors who, as my friend alleged, did nothing else but were surrounded by buffoons and clowns. Coming as it does from a Muhammadan member it is nothing but a calumny against the whole Muslim community in India. I could have understood my friend if he were a whole-hogger. If my friend were really a student of sociology he would have found that ceremonies and functions form an important feature in all kingdoms. But surely if he had gone in for a total cut it would have been something. I think that to go in for a cut of only Rs. 9,000 on economic grounds is nothing but childish. I think it is always better to leave the matter to His Excellency the Governor. If my friend had looked to the budget estimates he would have found that the demand has come down from Rs. 64,000 to Rs. 45,000. As a member of the Retrenchment Committee I know how much of this is due to the personal intervention and determination of His Excellency the Governor to reduce expenditure. So I oppose this motion.

The Hon'ble Mr. R. N. REID: Sir, this question of expenditure on the band establishment of His Excellency the Governor has been discussed frequently during the last 13 years or more, and I think the House is anxious to discuss other important subjects over which cut motions have been tabled. I would only say this that the history of the band establishment is well known. It started in the year 1912 when a band was agreed to on the analogy of the other two presidencies, viz., Bombay and Madras, and has been maintained ever since. But I wish to make this point that the cost of the band has progressively declined. I find that in 1922-23 the budget provision for the band was Rs. 94,000. The matter was gone into very carefully in 1925 and the conclusion came to was that their reducible minimum was Rs. 70,000. We have gone further since then, specially since the Retrenchment Committee's report was received. Their recommendation was given effect to from the 1st of September last, and as Khan Bahadur Maulvi Azizul Haque has said, it is very largely owing to his personal interest and to the determination of His Excellency the Governor to effect economy that the cost of the band establishment has been reduced to its present dimensions, namely Rs. 45,140. It is the lowest figure that has ever been reached and is a bare minimum. It may interest the House to know that in 1929-30 the amount was Rs. 69,000, in the following year it was Rs. 67,000

and in the year before last it was Rs. 63,185 and last year it was Rs. 52,000 and this year we have budgeted for Rs. 45,140.

Mr. NARENDRA KUMAR BASU: Is the quality the same?

The Hon'ble Mr. R. N. REID: The quality, I understand, is the same though the quantity is not so. I do not think we need take up much time of this Council in discussing this cut motion and I would beg the hon'ble member to withdraw the motion.

The motion was then put and lost.

Mr. NARENDRA KUMAR BASU: Mr. President, Sir, I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100 in order to discuss the size of the Executive Council.

Sir, I may say at once that I am conscious of the fact that this is another roary chestnut as my friend Mr. S. M. Bose has just remarked. This question has been debated in this Council ever since I have been a member of this House (Mr. P. N. Guha: Long before that) and the only reply that has been vouchsafed to us from the Government benches is that it is merely an academic discussion because the size of the Executive Council is determined by the Secretary of State. Sir, without pretending to be a lawyer (Here a member smiled and Mr. Basu retorted "why do you smile? Lawyers are at a discount in this Council), I must admit that I know that in the Government of India Act the provision is that the number of members of the Executive Council of Governors' Provinces shall not be more than four but shall be such number as is fixed by the Secretary of State. Well, Sir, that is all very good. But the question is whether it is within the competence of this Council to suggest to the Secretary of State that the number should be reduced if on no other ground than on the ground of economy. Sir, the pay of the members of the Executive Council is also fixed by the Statute and this Council has no power to reduce the salaries paid to the Executive Councillors. But the question is whether Bengal has the capacity to pay Rs. 64,000 each for four members of the Executive Council, and whether in fact efficiency would be impaired if the number of the Executive Councillors was reduced. So far as the capacity to pay is concerned the successive budget deficits and the successive loans which had been resorted by the province in order to make both ends meet are sufficient illustration of the fact that the province is unable to pay this high salary. It does not matter, Sir, whether efficiency would really suffer if the number was reduced because even if efficiency were to suffer I submit, Sir, that it is economically impossible to support such a large number of Executive Councillors. It is incumbent upon the province to reduce the number of these highly paid posts and then, Sir, I shall presently show that efficiency is not likely to suffer: it is not probable that

efficiency will suffer. Sir, the case of Bombay has been cited in this Council and the late Home Member was pleased to say that the question of Bombay was different because the population of Bombay is smaller. Whether each member of the Executive Council has got to keep an eye over one-fourth of the population of this province or otherwise the administration would suffer is a question which I am incompetent to deal with. But so far as the Home Member is concerned—he is now concerned more with young men and women below 21 years of age probably than with the attempts to reduce the number of Executive Councillors and I may take it that the present duty of the Home Member, in conjunction with the police, is to take a census of the people born in this province every year. But what of the other three? I do not think that it is entirely necessary to have 4 members of the Executive Council at the present day. Well, it was suggested that because there are two officials, there ought to be two non-officials, because amongst the non-officials, one was to be a Muhammadan and the other a non-Muhammadan. Sir, I do not hold that this is the right point of view to take. The Act says that at least one of the members must be such that he has held official position under the Crown of India for 12 years. Well, that one official ought to be the Home Member, as at the present moment the question of the transference of law and order in Bengal is a terribly ticklish question, and is probably likely to rouse suspicion if not the love of people elsewhere, I would say have the official member, for the present at least, for the purpose of looking after law and order and police. Well, Sir, is there any reason why the other departments of Government should not be distributed amongst less than 3 members? Is there any reason whatsoever why the Finance Member must be a member of the Indian Civil Service? Is there any reason whatsoever why a non-official member, either a Muhammadan or a non-Muhammadan,—by saying non-Muhammadan I mean either a Hindu or the so-called upper class, or a Hindu of the scheduled caste or depressed class, or a non-official Britisher—why should not a person from these classes be found competent and not be made the Finance Member of the Province? There is nothing to prevent that. If it be necessary to have an Indian Civil Service officer, let him be, as I have already said, the Home Member. Then, is there any reason why there must be, after the Home Member and the Finance Member, another two more members? I submit not. There is nothing to show that the great departments of say Forests, Irrigation, or Judicial, should not be carried on by the Home Member or the Finance Member, in addition to his other duties. What is the spectacle that we find here to-day? We know that so far as the Revenue Department is concerned, one of the principal works on which this department embarked, namely, the amendment of the Cess Act, has been finished. On account of the lamentable and melancholy early death of the late Sir Provash Mitter, fortunately he had finished his

labours in connection with the Cess Bill, there was a vacancy in the Revenue Department, and we have what is generally considered to be in that department, a stop-gap arrangement. (HON'BLE MR. REID: "Oh, yes".) I am glad the Home Member says "Oh, yes". That shows it is a stop-gap. Well, if we can have this stop-gap arrangement, I do not know for how long, probably the duration of the life of this Council, or the Council session, I do not know what is going to happen to the other department, over which an Indian is presiding. I do not know I can correctly pronounce his name, you, know, Sir, the full name, Sir A. K. Ghuznavi, of Dilduar, he is retiring in April next. (A VOICE: Who says so?) According to the Civil List, but I do not know if he is really retiring, and I do not know if a stop-gap arrangement is going to be made here also, but there is a great deal of excitement among the non-official members of this House. I do not know the exact date of the retirement, but I know there is a great deal of fomentation and fermentation going on among these benches, and one of the greatest reasons why even corruption in the Registration Department is condoned by the House, is in my suspicion the pending vacancy. That is my own suspicion. I am not attributing any motive to anyone. I submit that considering the volume of the work that is left for the so-called non-official member, he becomes more official as soon as he goes and sits there on the Treasury Benches, even than the sun-dried bureaucrats. I submit that on account of the volume of work done by them it is not at all impossible for one member to carry on the work of two. As I have said, Sir, I do not care whether that member be a Muhammadan, a Britisher or a Hindu or an Indian Christian. It does not matter in the very least to me really; I would welcome the Revd. Mr. Nag in this Council, if His Excellency were pleased to appoint him. I do not know what the feelings of the other members will be, but I am sure I will welcome him with open arms, because I know that so far as these departments are concerned, they are carried on, not by the Members themselves so much as by the permanent officials of the Secretariat, and it is not at all necessary that they should represent any community, or nationality in the Executive Council. As I have said already, the first and foremost question is whether this province is able to support four, I will not use the expression that is coming straight to my mind about the dredgers and other things. But I do submit that it is something like that. Why should we support four men to do the work of two? I submit that one Indian Civil Service member and one non-Indian will be quite enough,—but if it is thought otherwise, for the volume of the work, especially considering the way in which the Finance Member goes on working from early morning till late at night, though I do not think it is necessary, but if after considering all these facts there ought to be a Finance Member to look after the Finance and two other members to deal with the other departments, I would not grudge even three, but in any case in the present

financial state of the Province I do not think we ought to have more than three.

Mr. J. N. GUPTA: After the able speech of my friend Mr. N. K. Basu I feel there is very little left for me to say on this motion. The first point to which I wish to allude is that it might be urged that in moving for a reduction of the size of the Executive Council we are raising a question which is more or less of an academic nature at the present moment having regard to the fact that we are not very far from the impending reforms under which the Members of the Executive Council will disappear automatically. But, Sir, as it has been hinted by my friend Mr. Basu and as Mr. Thompson the leader of the European group also said the other day the retirement of a Member of the Executive Council is probably impending and therefore, this question need not be considered to be purely academic and it might be possible for the Government, if the opinion of the House in this matter is accepted not to fill up the vacancy which will be created by this retirement. Mr. Basu, I submit, has conclusively shewn, that both on the ground of the volume of the work to be done and the capacity to pay the province of Bengal should not have a cabinet of 7 with 4 Executive Councillors. I can only add, what he probably forgot to mention, that two Retrenchment Committees have already carefully examined this question and while the first was of opinion that a Cabinet of 4 or at most 5 members was quite sufficient for Bengal, the last committee over which a very senior member of the Indian Civil Service presided also came to the conclusion that a Cabinet of 5 Members would be quite ample to carry on the work of the Government of Bengal. Sir, when I spoke on this subject on the last occasion the late Home Member pointed out that I was not justified in bringing in the case of Bombay to the notice of the House because whereas the population in Bombay was only about 19 or 20 millions in Bengal we have had to deal with 51 millions. To that a reply has already been given by Mr. Basu who has pointed out that the first consideration which we have to examine is whether we would be able to pay for the services of the men whom we employ. Sir, Bengal is by far the poorest of all the largest provinces in India, and whereas the revenue in Bombay is 15 crores our revenue does not go very much above 9 crores. Therefore we urge that on this ground alone if Bombay has been compelled to reduce its Cabinet from six to four there is no reason why Bengal should not follow the example of Bombay and reduce its Cabinet from seven to six members. The next point to which I would like to refer is about the comparative strength of the official and non-official members of the Executive Council. Sir, I am aware that the Joint Parliamentary Committee recommended that if there should be two officials in the

Council both of whom are Europeans there should also be two non-official Indian Members. But as Mr. Basu has pointed out, there is no earthly reason why there should be two official European members in the Cabinet. If the Home Member were an official European and the Government could not find an Indian official the other Member might very well be a non-official European Member. I have next to deal with the question of the necessity of holding the balance even between the two communities of Hindus and Moslems, and I agree that if absolute equality is considered essential we must take the Ministers also into consideration. From every point of view, therefore, I see no difficulty whatsoever in accepting the unanimous opinion, I venture to say, of the whole of the province of Bengal, of Indians, as well as of Europeans, that this province is being made to pay for its higher services far in excess of its resources. Sir, the time has come when we must be sincere and by our acts and not by profession merely shew that we are determined to tackle the serious position in which we are placed, of having to face falling revenues and increased demands of every description and that we are determined to face these facts by doing everything we can to reduce the cost of the topheavy administration, and we cannot do better than by beginning at the top of the Government and reduce the size of the Cabinet. I do not wish to take any more time of the House because, for as I have said, I think every section of the House will support this motion and opinion outside the Council is also absolutely unanimous on this point. I therefore commend the motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Rai Bahadur SATYENDRA KUMAR DAS: Sir, I rise in support of the motion. I consider that the size of the Executive Council should be reduced. I have of course the efficiency of the administration in my mind and I say this because I know and I make bold to say that the efficiency will not suffer in any way if we reduce the size of the Executive Council. Considering financial position and our deficit budget year in, and year out, this move would certainly be in the right direction, our budget has been ridiculed by eminient critics outside this Council, as only an administrative budget, it leaves no room for any constructive programme for the good of the nation. Nobody can dare say that ours is a national budget; so, Sir, with due respects to the feelings of those who are and may be concerned, I suggest that we should rather cut our coat according to the cloth at our disposal. Other provinces like Bombay have already taken lead in reducing the size of the Executive Council. Our move in this direction is long overdue; if we could not take the lead, let us now move before it is too late and follow the suit.

I humbly suggest that further extension of the period of those members of the Executive Council whose retirements are due should not be allowed and in doing so, we will do injustice to nobody and I hope, the size of the Executive Council would thus be automatically reduced without any interference from higher authority. With these observations I support the motion.

Rai Sahib AKSHOY KUMAR SEN: Sir, while I have every sympathy with any endeavour to reduce unnecessary expenditure in our administration and get rid of surplus stock of Members of the Executive Council which is sometimes regarded as a guilded cage for brittle reputation I do not at the tag-end of the regime want to disturb the arrangement which has been left undisturbed so long. I have, moreover, to remind the House what His Excellency the Governor of Bengal told this Council about this time last year. He said:—

"Before passing from the subject of retrenchment, there is one specific recommendation with which the House may properly expect me to deal. The Committee (the Retrenchment Committee) recommended a reduction in the size of the Cabinet from seven to five members. I have given most careful consideration to this recommendation as it was my duty to do. I have no doubt that under normal conditions we could carry on the work fairly comfortably with a Government of six members and if there were no question of preserving a communal balance the number might even be reduced to five as recommended by the Committee. But conditions are far from normal in several departments of Government and we must expect during the next few months a very heavy addition to the burden of work—affecting all members of Government—in connection with the scheme for constitutional reform. This, moreover, is work which will have to be done against time. In all the circumstances, therefore, I have come to the conclusion after much thought, that it is not worth while to incur the disadvantages of disorganising existing arrangements for the sake of the small saving that would be realised during the comparatively short period that is now expected to elapse before the inauguration of a reformed constitution. I have the less hesitation in coming to this decision since all the indications go to show that under the conditions of the future it will not be possible to carry on the work of Government with fewer than seven Ministers."

I am ready to give some of the departments of Government credit for the work they have done in this connection. I know the fairness and force with which the Finance Department, for instance, has presented the case of Bengal to the Round Table Conference. And I do not know if the work, like the poor, is with us yet. But I am ready to be generous—as we have always been, often against our will—and neglect the small saving that may, even if we are able to get the object

of the motion carried, accrue to us during the comparatively short time that lies before the new constitution is introduced. Already there are indications that it is really coming and cannot be delayed very long. Indeed it is long overdue.

We may, in taking up this attitude, be making a virtue of necessity, for it does not lie with us to reduce the number of Members of the Executive Council. It rests with the Secretary of State for India and he alone can decide what should be done.

I have said I have every sympathy with any attempt made in this Council to reduce the cost of administration. But, as I have pointed out, we gain very little by pressing this motion and I hope the mover will, after the expression of opinion in this House, withdraw his motion.

Maulvi SYED MAJID BAKSH: When Poltis, King of Thrace, was approached by the emissaries of Agamemnon to join in a war against Troy to right what they called a national wrong, he replied, perhaps Paris wants a wife very badly, but it is hard for Menalaus to lose a wife; I have two wives both of whom I can spare, one for Paris and another for Menalaus. I think in order to end a discussion which is being carried on times without number in this Council and on which feelings have been expressed very pointedly, Government should think in those terms of that old Greek king and give up two of their members in order to make an attempt to balance their budget.

Sir, the Members of the Executive Council have between themselves, as has often been remarked in this Council, a very goodly number of bogus portfolios—the portfolios of Emigration, Immigration, Excluded Areas and many other things including Jurisdiction, and I can repeat the names at any length; I think minor or unimportant portfolios can be dealt with by Members who have other portfolios. Since our budget has been top-heavy, and since on account of various causes which the Hon'ble the Home Member will advance for our consideration, the Police expenditure is swelling by leaps and bounds and is hanging like a millstone round our necks,—in order to relieve us of this top-heavy administration and of this expenditure which this poor country having a depleted finance can ill afford, not being like other countries where revenues go up and swell, I think this avenue of reducing expenditure should be explored before the Hon'ble Member proposes to oppose this cut. Sir, I suggest that whether they can take action now or hereafter, whether they can take action in this Council, so far as this Council is concerned or as some members have remarked, in the next Council, this idea should predominate in the minds of those who would try to make the coming Executive Council business like and in conformity with the wishes of the Legislative Council that is coming. I think that if we in this way try to accommodate our finances to the exigencies of the situation, we shall be doing a great service to the

country and to those whose causes are represented by persons who have supported this amendment. I do not like to say whether any impending vacancy is going to be filled or not. I do not mind whether any vacancy is filled up by a live electric wire, about the pronunciation of whose name authorities differ. I would like to say this only: that whatever is done in this connection, everything should be done with a view to economy and economy alone. Even with the fillip that we have received of late from the Government of India our finances are still depleted and I hope that with this depleted finance, those who will arrange the business of the Council and those who are responsible for arranging the seats and number of the members of the Council will take this into their serious consideration and have regard to the feelings expressed from all parts of this House, not now but year after year, and will do their level best to adjust themselves to the situation. I therefore support the motion.

Babu Hem Chandra Rai Choudhury and Rai Sahib Sarat Chandra Bal read out their speeches and were not heard at the Reporters' table.

Maulvi TAMIZUDDIN KHAN: Although I feel tempted to support the motion of my esteemed friend Mr. Narendra Kumar Basu, yet on careful consideration of the subject I am sorry I cannot actually give my support to it. Sir, under the present conditions all measures of economy cannot but be generally welcome to the well-wishers of Bengal, but if the economy as proposed in this case had been advisable surely I would have given my wholehearted support to it. The only question here is whether a reduction in the strength of our cabinet is desirable under the present circumstances. Probably, Sir, I do not see eye to eye with those who have supported the motion on account of my lack of experience, which my opponents seem to possess in an abundant degree. They have said, that the efficiency of the Cabinet will not be impaired in the least if the strength of the Cabinet is reduced. I confess, Sir, I have no knowledge of the amount of work which the Hon'ble Members of the Executive Council have to do. My friend Mr. N. K. Basu has admitted, so far as the Finance Member is concerned, that he works from morning till night, but he also says that he does not know whether it is necessary for him to work so hard. I do not know whether my friend thinks that the Finance Member has lost his balance of mind so that he should be working for nothing from morning till night. I for myself know of another Hon'ble Member who like our Finance Member works from morning till night. I have no doubt about the mental balance of this Hon'ble Member also, and I have no doubt that he does useful work when he subjects himself to so much strenuous labour all the day throughout. As for the Home Member, my friend himself gives him a lease of life and does not dare to say that

his post can be touched in any way. There remains only another Member of the Executive Council who apparently, as far as I can see, has a good deal of work to do, but as I said previously, I do not actually know the amount of work that each of them has got to do. It is only the Hon'ble Members themselves and His Excellency the Governor who know whether there is sufficient work for all these four Members under the present circumstances. But, Sir, what appeals to me as a circumstance of very great importance is this: Will it be advisable to have a change in the number of the Members of the Executive Council under the present circumstances when a new constitution is impending? It has been said by the honourable members who want to reduce the number of members of the Executive Council that they do not care whether there is a Hindu or a Muslim on the Cabinet or whether the post of a Hindu Member or the post of a Muslim Member is abolished. I know, Sir, there is nothing like the post of Hindu or a Muslim on the Cabinet but a precedent has been created during long years and we have seen that invariably out of four members of the Executive Council one has been a Muslim and one a Hindu. Sir, I do not say that the Government carries on the administration in a communal spirit. That is far from what can be insinuated by any member of this House. But in a country where there is such a strong feeling for undoing the Poona Pact, where there is such a strong feeling for undoing or altering the Communal Award, I think it cannot be said that the communal consideration can be altogether brushed aside (Mr. N. K. Basu: Have a Mussalman). My friend says "have a Muslim". I think, Sir, he speaks sincerely and if he actually says so, he would not have been up against the Communal Award or against the Poona Pact. I know, Sir, that this consideration is regarded to be of very great importance by a large section of the people. I admit there may be exceptions. There may be persons who do not care whether members of the Cabinet are Hindus or Muslims. There may be some people who think in that way but their number is so very insignificant at the present time that we can very well leave them out of account altogether. I was submitting, Sir, that under the present circumstances it seems to me necessary that a Muslim and a Hindu should be on the Executive Council in view of the impending constitutional changes. Many important and far-reaching decisions will have to be taken by the Cabinet during the next few months or at least many important recommendations will have to be made. I for myself cannot say that the communal considerations will be altogether out of place while arriving at these decisions. The question is therefore important and it seems to me that there should be a Muslim and a Hindu on the Executive Council under the present circumstances. If, therefore, the strength of the Executive Council is reduced under the present circumstances I think that it may prove to be injurious to the people of Bengal. Again, Sir, my friends who have supported the motion, being all Indians, must,

I think, regard it as a very valuable consideration that there should be two Indians on the Executive Council. As for myself, I think to reduce the strength of the European section of the Executive Council is out of the question under the present circumstances. If the strength is reduced at all it will be at the expense of the Indian section. I think it is not at all desirable and I suppose that my friends also do not desire that the strength of the Indian section should at all be reduced. Also there is another thing to which my friend Rai Sahib Akshoy Kumar Sen has referred. Mr. Narendra Kumar Basu says that there is no force in the argument that this question is only of academic interest. He says that we can make recommendations to His Majesty in whose hands the ultimate decision rests or rather I should put it that the decision rests with the Secretary of State in Council. But I think that at the fag end of the present constitution it is almost impossible to think that even if a recommendation goes from us it has any chance whatsoever of being accepted by the Secretary of State. Therefore, Sir, from whatever point of view we consider this question it does not seem desirable that the motion should be accepted.

I shall refer to another thing. It has been said that the members of the Executive Council receive too high salaries. The administration is surely top heavy, and if it were actually possible to reduce their pay a motion to that effect would have been quite welcome; but as regards reduction in the number of the Executive Councillors I am opposed to it.

Dr. NARESH CHANDRA SEN GUPTA: Sir, we have been told that this discussion at the present moment is a mere waste of time because of the "impending reforms" as they have been called. I think it is on account of that very fact that the question has become one of very great urgency, inasmuch as when a new constitution is going to be framed for Bengal and they are going to have a Cabinet for Bengal under the new constitution you may take it for granted that in framing a scheme for the Cabinet the British Parliament or their Committee will accept the *status quo;* that is to say if you continue to have 7 members of the Cabinet now they will give us the very same seven members with a vengeance. If by any means you could make it clear to the British Parliament that a Cabinet consisting of 7 members is a luxury which Bengal cannot afford and it must be reduced to a reasonable size there may still be some hope for the future Finance Minister of Bengal inasmuch as we may expect to get a lesser number. It is therefore of importance that this question should be tackled now before it is too late. I have also heard it said that with less than four Executive Councillors it will not be possible to carry on the administration. That is an argument which we have heard before but the experience of the past has shown that 7 members are not necessary to carry on the administration. And, last of all the bubble has been pricked by His

Excellency the Governor in his address to this House. It has been pointed out that 7 members are not an absolute necessity. They have got to be maintained among other reasons for the coming reforms. If that is the argument, I think that is a very excellent reason why the number of the Executive Councillors should be reduced here and now. We already find that in spite of the heavy burdens which have been placed upon the members of the Executive Council by the present circumstances there is a superfluity of energy amongst the members of the Executive Council. There is never wanting an attempt on their part whenever occasion arises to have a hand in the pie of the Transferred Department. For instance when the question of appointing a committee for the economic development of Bengal cropped up it was an Executive Councillor who took the matter in his charge and not the Ministers who were supposed to be in charge of the nation-building departments. I expect that there will be still more superfluous energy when the Waterways Board comes into being. Already the Irrigation Department had been depleted so that there is very little work left for the department and little enough for the members of the Executive Council. Sir, it is necessary that on account of this the superfluous energy should be relieved by reduction,—by blood letting. The Hon'ble the Finance Member in introducing the budget made a rather ominous reference. He pointed out that the amount of the deficit in the budget was almost equivalent to the amount spent on the transferred departments. I am not quite sure whether that implies a suggestion that, if the constitution demanded drastic remedies which the Hon'ble Mr. Woodhead has referred to in the budget speech of last year, ruthless cutting down or something like that, he would review the position so that the transferred departments might be abolished. There was a suggestion—not a definite suggestion though; but an apprehension indicated by the Hon'ble Member. If that is so, Sir, there is very good reason why the strength of the Executive Council should be reduced *pro tanto* and charge made over to the Ministers. If the Ministers can be shaken off, then I fail to understand why the number of the Executive Councillors cannot be reduced. All these things indicate there is room for cutting down and let that cutting be in the number of the Executive Council Members. But, Sir, a note of alarm has been raised, a note of protest, I mean. And in that note I almost seem to hear the voice of the caterpillar thirsting to take wings as a butterfly. Every caterpillar expects to be a butterfly sooner or later; and any proposal to extinguish butterflies might easily create a stir among the caterpillars. Apart from that, Sir, I have not yet heard any sufficient reason for not reducing the number of the Executive Councillors.

Babu JITENDRALAL BANNERJEE: Sir, we have a certain amount of ill-trust in the Council to-day inasmuch as Maulvi Syed Majid

Baksh told us that this is a matter in which we personally are not very much interested. Dr. Sen Gupta referred to voiceless caterpillars: I do not know that caterpillars are voiceless; and in spite of the great respect with which I always listen to the speeches delivered by Maulvi Tamizuddin Khan I regret to say that to-day I was unable to follow his arguments or appreciate the full force of them. Maulvi Tamizuddin Khan seems to make out two points. He was under the impression that if there were any reduction in the number of the Executive Councillors, that reduction will affect the Indian element in the Cabinet. I fail to understand his arguments. I fail to understand why, if such a reduction is made, a Hindu or a Muslim will have to go. It is true that amongst the members of the Executive Council there is one Hindu and one Muslim but nobody has suggested that the axe should fall upon either on the Hindu Member or on the Muslim Member: no such question has been raised by any one in this House. He did not particularize which of them should go. Further, there is no particular reason why the Indian element should be touched at all for the purpose of reduction in the number. Then, again, Sir, he made a grievance of the fact that if the number of the Executive Councillors were reduced, it would affect the communal balance in the Cabinet. He said explicitly that in the Executive Council there should at least be one Hindu and one Muhammadan. He harped upon that more than once. He wanted one Hindu and one Mussalman. That was his grievance. Now instead of one Hindu we have got two, and instead of one Mussalman we have got three. That is not the grievance of Maulvi Tamizuddin Khan. Supposing one Mussalman was to go, even then there would be two Mussalmans and one Hindu; he said that would upset the communal balance. But if one Hindu were to go, that will not upset the equanimity of Maulvi Tamizuddin Khan, and we should not be perturbed by that. He cannot possibly have that as a grievance. The question which however presents itself is the point of view of economy. But apart from this question of economy the question really is, whether there is sufficient work in the Cabinet, especially the Executive Council, for all these 4 members. I appeal to the European members; I should like to abide by their decision. We know Mr. Woodhead and Mr. Reid, they are both hard-working men; they will be able to tell us, and I should like to have a clear answer from them, whether there is sufficient work in this province, and must there be four men with superhuman qualifications to do it? We know, one of the Executive members is overworked; the other is fully occupied, but as for the two Indian members they yawn their heads off, they are bored stiff, half their time is wasted, and we know that if people are not fully occupied their efficiency is bound to suffer. Here it is a decrease in the number which might increase their efficiency. At present it is all play and no work, consequently they are getting duller and duller; they have no initiative because they have nothing to do. It is their interest, their

reputation that is suffering: they have got a great reputation elsewhere, but they have nothing to occupy them here. There must be a diminution, not only for the purpose of economy, but for the purpose of securing increased efficiency. For these reasons I support this resolution.

Maulvi ABUL QUASEM: Sir, I rise to accord my whole-hearted support to the motion moved by Mr. Narendra Kumar Basu. In fact the motion also stands in my name. I have very closely listened to the arguments put forward by my esteemed friend Maulvi Tamizuddin Khan, and I must frankly confess that I am absolutely unconvinced by his arguments. This motion in my humble opinion is very important, and there is now an excellent opportunity presented to the Government of reducing the Executive Council without any violent shock to anybody's mind. I will not go into the details, but everyone well knows the opportunity is there, and it is for the Government to take courage in both hands and reduce the number of the Executive Councillors without causing any revolution. Sir, there was a time when Bengal, Bihar and Orissa used to be governed by one Lieutenant-Governor alone. Now, Sir, Bihar and Orissa has one Governor, and Bengal has one Governor, with an addition of 7 Lieutenant-Governors, I mean the 4 Executive Council Members and the 3 Ministers. But I seriously ask this House, Sir, it with all this increase of costly personnel at the top, the people are really happier than they were in those days when Bengal and Bihar and Orissa were governed by only one Lieutenant-Governor. Are the people really happier than before? Are they better fed and housed and clothed than before? Sir, go to the countryside and see the plight in which the people are passing their days. You will not be able to restrain your tears at the sight. But what are we doing? Some of us are supporting the present huge cost of the administration; we have become callous and indifferent to the sufferings of the people whom we are supposed to represent here. I say there is absolutely no justification in my humble opinion for the heavy cost of administration we are actually incurring compared with the so-called advantages we are deriving from this administration. If the Cabinet were reduced, the money saved could be devoted to the nation-building departments and particularly to medical relief. Rai Sahib Akshay Kumar Sen said there would be only a small saving. I say it would be Rs. 1,27,000 per year, which is not a small saving at all; and if this money could be distributed among 26 district boards of Bengal, I say it would be of great benefit to the people in the shape of additional medical relief which is sorely needed. We know the district boards are suffering greatly from want of adequate money for dispensaries and kala-azar centres. The pressure on the charitable dispensaries is very great just now. The classes of people who before the present economic distress used to help themselves are now resorting to these district board dispensaries and the district boards are unable to meet the demand. It has

been said that in view of the impending reforms we should not try and reduce the size of the Cabinet. We have been hearing of these Reforms being impending for a long time, but when they are going to materialise no one seems to know. Can anybody prophesy, and say when they will come into operation? If even for one year the economy can be effected, it will go a great way to relieve the distress of the people. It is an utterly indefensible waste of money. Sir, I deliberately assert this, and I do not agree with the point that has been made that the communal balance in the cabinet will be upset. That cannot be so. Supposing the two Indian members were removed from the Executive Council, there would still remain the three ministers. My point is that the three Ministers will be quite sufficient to represent Indian opinion to the Governor. They will be able to put before the Government the Indian view, so what is the necessity for two more members, when the money saved can be applid for the real benefit of the people? There is I feel no single argument advanced which really goes against the motion moved by Mr. Narendra Kumar Basu. I give him credit for absolute sincerity of motive. There is really no question of Hindu and Muslim involved. Both are suffering. It is in the interest of the people and for relieving their distress that we should impress upon Government the imperative necessity of reducing the size of the Executive Council. But it appears, Sir, we are crying in the wilderness. The reply of the Government to our cries is already given in this red book (statement showing Government's decisions on recommendatins of Retrenchment Committee up to 31st January, 1934). It is on page 8, paragraphs 102-103: "No action will be taken to reduce the size or the emoluments of the Cabinet pending the introduction of the new constitution." Sir, the truth is that the present Government is really callous and indifferent to the sufferings of the people. They do not care whether the people live happily or are miserable. The Government do not exist for the people, but the people are made to exist somehow for them. There is a deep-seated feeling in the country that the present Government is a needlessly top-heavy Government. Bengal is a poor province, and this extravagant expenditure is more than she can stand. Every rupee of needless expenditure should be religiously avoided for the real benefit of the people.

Babu AMULYADHAN RAY: Although I agree with Mr. N. K. Basu that the size of the Cabinet should be reduced and their pay should be cut, but in view of the coming reforms I cannot support this. However it must be understood by all members of this House what the British Parliament had said. They said that Bengal is a poor province and her resources not only justify reduction in the number of Executive Councillors but demand a thorough overhauling of the administrative machinery and reorganisation of the Services by curtailing the pay of the public servants in the administrative machinery by 30 to 50 per cent.

Sir, what is the nature of administration of to-day? It is nothing but a paper transaction without consideration for the people who are in the midst of life and death. Mr. J. L. Bannerjee has said that there is no sufficient work for the members to do. Sir, I am of the same opinion, but if there is no sufficient work for the other three members, there is at least sufficient work for the Hon'ble Sir Abdelkerim Ghuznavi because most of the rivers in Bengal are being silted up, the country-side villages are being depopulated and the areas are gradually being filled up with jungles, so at least so far as that Hon'ble Member is concerned, his work has greatly increased. (A VOICE: What about tigers?). I do not answer that. My humble opinion is that Bengal badly requires more money and the cost of administration must be curtailed and the number of the Cabinet members must be reduced. But in view of the coming reforms I will not lay stress upon any reduction at present.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: We have obtained a good bit of light in this House over this question and speaker after speaker has risen and said a lot of things which probably will not bear a little scrutiny. My friend Mr. Abul Quasem has really given a lead in this House. He is under the impression that if this Rs. 64,000 would be deducted from the pay of the Executive Councillors it will automatically go for the relief of the sufferers in the villages. If this is his belief, I would ask him not to abuse himself with that idea because the moment this Rs. 64,000 is cut it would go to the fortunate man's pocket; it will automatically go to the Finance Member and he will pay it off to the Government of India by way of payment of the loan, so if instead of going to the Government of India it goes to some fortunate man's pocket, what harm is there? Sir, I was once one of the members of the Cabinet and I have some experience of it. I think I am right in saying this that there are two sides of the Cabinet, one is Reserved side and the other Transferred side. There are subjects which are discussed by the Reserved side quite separately from the Transferred side and the Transferred Departments, or the Ministers working for the Transferred Departments have no access to them, and a lot of matters are disposed of by the Reserved side. So if the cabinet or that part of the cabinet which is private and confidential where the Ministers are not represented is not to include representatives of all communities, I fear the interests of the community which will not be represented in the cabinet will not be cared for. It is in the cabinet in that small circle that the actual Government of the province exists. Therefore it would be to the best interests of all the communities concerned that they should be represented in the cabinet. It is the cabinet which actually rules and governs the province. If it is said that for the sake of economy there should be only three Members of the Executive Council, then I should say that these three Members should consist of one European one

Hindu and one Muhammadan as they form the major portion of the population of this province. In that case I think the whole country will have confidence in the Government. But if you exclude one of these three communities from being represented in the cabinet, I should say that it would be wrong to do so. No doubt the sum of Rs. 64,000 which is the pay of a Member of the Executive Council for one year is a big sum, but considering the fact that you spend crores and crores of rupees in the administration of the province I do not think it is so great as you seem to think. Considering also the large issues that are at stake I do not think it would be wise for us to economise in that way. I also think that all the members have got sufficient work to do. The Home Member as you all know is the hardest worked man. He alone cannot do all the work and so he has to take the help of all the Secretaries and I understand that people consider his life to be a dog's life. The Finance Member, as everybody knows, is concerned with the files of all the departments and has to go through them from cover to cover before he can come to a decision—either to accord sanction to a proposal or to refuse it. If anyone says that he has not much work to do, I should say that he is not telling the right thing. The Revenue Member has to work night and day, and we all know how very hard worked Sir Provash was. He used to work even on holidays and on one occasion I found him during the Saraswati Puja holidays in Government House and he told me that from Government House he was going to office. We all know that Sir Provash died in the midst of his work. The Irrigation Member has also like his colleagues to do a very large amount of work. He has initiated many new schemes and is always anxious to do anything that he can to help the people, but unfortunately the Finance Member cannot give sufficient funds. The Members of the Executive Council have also to give 2 to 3 hours every day in going through the files of the transferred departments which come to them. Therefore I do not think any case has been made out for reducing the existing number of Executive Councillors.

Mr. H. S. SUHRAWARDY: Sir, after the rhetorical outburst of the previous speakers crowned by the oratory of the Nawab Musharruf Hosain who has showered bouquets at the treasury benches and has justified the existence of every single member, it is not necessary for me to say anything whatsoever against the amendment except to put forward an interjection. If the hon'ble members who have moved this amendment are really serious that any savings which can be effected under this head will accrue to the benefit of the people of Bengal, then let them put forward a comprehensive resolution that we ought to go back to the days of the Lieutenant-Governors with just one or two members and some Secretaries and we may and I suppose there are many who will support them. But as long as you desire to have reforms and cabinets and certain members whom you can pester with questions and

interpellations, and whom you can accuse with impunity so that you may earn reputation in this Council at their expense, it is better that you have as many targets as you can possibly fire at. If you are really anxious with regard to the expenditure which all reforms necessarily entail, then come forward boldly and say "We do not want reforms." In the next cabinet we will have probably about eight Ministers and several Secretaries. There will be about 250 members in this Council mostly from the *mufassal*, because the town representation will be practically negligible and every member from the *mufassal* will draw his travelling and other allowances. So the cost of the reforms will be very great. If you desire to move in the matter, then so far as the members of the Council themselves are concerned, let them do away with their own rights and monetary and other privileges, and I am perfectly certain it will not be necessary to have so many Executive Members adorning the treasury benches.

The Hon'ble Mr. R. N. REID: Sir, before making my attempt to reply to this discussion I just want to clear up one small point I have been misundertsood—it seems always to be my fate to be misunderstood—when I interjected "Oh yes" to Mr. Narendra Kumar Basu at the beginning of this debate. He referred to a stop-gap arrangement. When he first made the remark, I did not catch what he said, and when I did catch what he said, I said "Oh yes" in a spirit of satisfaction at having grasped what he said. I did not mean to imply that I had any special knowledge of the conditions of the appointment. In fact I have none.

The mover of this motion framed two issues. One was—could Bengal pay for the luxury of these four members of the Council, and the second was—would the efficiency of Government be impaired if the number of members of the Executive Council were reduced and to those two issues I think one might reasonably add one more, and that is the question of the expediency of making any change—a question which has been brought up by a considerable number of members this afternoon, expediency of making a change under the present circumstances. On the question of economy—well, the question has been debated year after year in this Council and we have never got very much farther. If we take as a basis of discussion the fact that Bengal has an overdraft, well then there are very few things which she can afford. Strictly speaking, if you argue on this line, she cannot afford the luxury of even this Legislative Council, for which, if you look to the budget you will see that a sum of Rs. 1,83,000 has been budgeted, including a sum of Rs. 75,000 for travelling allowances of members. But I had rather not labour that point, it is so obvious to everybody. If it is decided that we must have a Council of four Members we have got to pay for them.

If, on the other hand, it is agreed that with the deficit that we have got we cannot pay for them the House can recommend to the proper quarters that the number should be reduced.

As regards the question whether the efficiency or the work of Government would be impaired by a reduction in the size of the Executive Council, I do not think, Sir, I need go into a history of the arguments and discussions which led up to the final decision that the Executive Council of Bengal should consist of two Service Members and two non-official Members, one of whom has always been a Hindu and the other a Muhammadan, naturally, except to say that that was decided on after very careful consideration in 1922, and here we are in 1934, and I do not think that any one will deny that the complication and the difficulty of the work, and important issues which are always cropping up, have enormously increased in these 12 years.

Mr. NARENDRA KUMAR BASU: But what about the deficit in the revenues of Bengal in 1921-22?

The Hon'ble Mr. R. N. REID: That is a question, Sir, of which I must ask for notice. Mr. J. L. Banerjee has asked me as to what all this work consists of, and whether I could say honestly that the Members of Council had a full day's work. I am rather afraid to use the word "honestly," but I will say that I honestly consider that the work of the Executive Council justifies and fully takes up the time of the four Members of the Council. We had a very reasoned and well-informed defence from one section of the House and to that I must add my own view that I do think that there is sufficient work for four Members. Speaking personally I may say that I have plenty of work to do; as for the Finance Member, he has been defended from several sides of the House as an industrious officer, who works from morning till night, and to my knowledge, Sir, he works even after dark and sometimes even before sunrise! I have no personal knowledge of the work of the other Members but I am perfectly certain, even without that personal knowledge, that they too have got ample work to do. It is very easy for members of this House to run through the portfolios which are distributed among the different Members of the Executive Council and to find a number of apparently unimportant items like Jurisdiction, Excluded Areas, Emigration, Immigration, and all the rest of it. It is very easy to do that and to judge from that some portfolios are not particularly important as they seem to contain what apparently are trivial items, and to conclude that, those members have not got much to do and as a matter of fact are compelled to spend their time in play. But I may state that especially nowadays there is a great deal more work to do than would appear from the list of subjects. As the Council is aware most important decisions on policy are taken after discussion in Joint Meeting when both sides of Government meet

together and discuss things: also there are an enormous number of questions on which, though they arise in a single department, every Member of Government records his opinion and on which, if he has to record his opinion with knowledge and thought, it means that he has got to spend a lot of time over it; and I do not hesitate to say that the Members of Government do spend a tremendous amount of time and thought over these things. It is not merely the actual disposal of files, signing their names and initialling papers that take up all their time. But if the Members of Government are to do their duty by the country they ought to spend more time in thinking about policy, as to how things can best be done and that is not a matter which can be measured by the number of hours spent in actual reading or writing. It does mean that an officer has to devote a considerable amount of thought and time to them, and it is just here, Sir, that I think nowadays Members of Government find themselves handicapped. I know from my own experience that the Executive Councillors have so much to do with the disposal of cases that they do not have sufficient time to think about what should be done not only to-day but in the future.

I think, Sir, Maulvi Tamizuddin Khan made a very important point when he referred to the necessity of having representatives of both the communities on the Executive Council at this particular juncture when we are on the eve of a new constitution and when there are so many difficult and very important points to be decided in respect of the new constitution, and it is only by having representatives of both the communities in the Executive Council that Government generally can be properly advised as to the way in which the numerous and complicated problems are to be solved. It has been said by some members to-day that that is all right but why not abolish one Member of Council and not fill the impending vacancy, because you have already got representatives of both communities and even a preponderance of one in the Ministry. Well, Sir, my answer to that is that it does not apply to the present Government, because while the Members of the Executive Council are permanent officers of the Crown, the Ministers are in the ordinary course of events here to-day and gone to-morowr. It is perfectly true that the present Ministry has continued for a pretty long time; because the Legislative Council has never decided to turn it out but supposing that contingency did arise, supposing we are left with the representative of one community only in the Council and the Ministers went out for whatever reasons, that would give rise to serious difficulties indeed. For instance, what happened before now for instance in 1927-28? There were considerable gaps for fairly long periods when there was no Ministry at all, or if there were Ministers the Ministries were short-lived. As I said, Sir, unless you have in the Executive Council representatives of both communities to advise Government, especially at this moment when you have got the new constitution still inchoate, I think Government will be at a very great

disadvantage if they were deprived of the service of the representative of one or other community.

I do not think I need detain the House any longer with discussing this motion. I should have liked to ask the member to withdraw the motion but as I do not think it is at all likely that he will do so, I beg to oppose the motion.

Mr. Narendra Kumar Basu's motion being put, a division was taken with the following result:--

AYES.

Ali, Maulvi Hassan.
Bakib, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kisheri Mohan.
Chowdhury, Maulvi Abdul Ghani.
Choudhury, Maulvi Nural Absar.
Faziallah, Maulvi Muhammad.
Ghose, Dr. Amulya Ratan.
Gupta, Mr. J. N.
Hoque, Kazi Emdadal.
Hossain, Maulvi Muhammad.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Quasem, Maulvi Abul.
Ray, Babu Khatter Mohan.
Raut, Babu Nasoni.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur, Maulvi Emaduddin.
Ali, Maulvi Syed Nausher.
Ashworth, Mr. C. G.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barmaa, Babu Prambari.
Barma, Rai Sahib Panchanan.
Bazlruddin, Khan Sahib Maulvi Muhammad.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Burn, Mr. H. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Chawdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Corry, Mr. T. A.
Das, Rai Bahadur Kamini Kumar.
Datt, Mr. G. S.
Edgley, Mr. N. S. A.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Forgusen, Mr. R. N.
Ghose, the Hon'ble Sir Charu Chander.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dilduar.
Gilchrist, Mr. R. N.
Goddeg, Mr. D.
Goenka, Rai Bahadur Sir Badridas.
Guha, Babu Protulla Kumar.
Guha, Mr. P. N.
Hoque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Muchharuf, Khan Bahadur.
Hussain, Maulvi Latafat.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Khan, Maulvi Tamizuddin.
Maguire, Mr. L. T.
Martin, Mr. C. M.
Miller, Mr. C. C.
Mitter, Mr. S. C.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mubanda Behary.
Nag, Reverend, S. A.
Nag, Babu Suh Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nicholl, Mr. S. K.
Norton, Mr. H. R.
Paul, Sir Hari Sankar.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M., Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Mr. K. S.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Ray, Babu Hariharan.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Nem Chandra.
Sadakatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.

Sen, Mr. B. R.	Sumner, Mr. S. R.
Sen, Rai Bahadur Jogesh Chandra.	Thompson, Mr. W. H.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.	Townend, Mr. H. P. V.
Solaiman, Maulvi Muhammad.	Walker, Mr. W. A. M.
Steven, Mr. J. W. H.	Wilkinson, Mr. H. R.
Suhrawardy, Mr. H. S.	Williams, Mr. A. deG.
	Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 20 and "Noes" 82, the motion was lost.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Mr. NARENDRA KUMAR BASU: Mr. President, Sir, with your leave I want to make a verbal correction. I want to omit the word "temporary" from the motion which stands in my name which I am about to move.

MUNINDRA DEB RAI MAHASAI: On a point of order, Sir. I have been deprived of the right to speak first because my name stands first whereas Mr. Basu's name comes last.

Mr. PRESIDENT: I might tell you that these motions are not balloted for. It is within the discretion of the Chair to allow the leader of the opposition to speak on a motion which has also been tabled for discussion by several other members. I do not think you will object to that.

MUNINDRA DEB RAI MAHASAI: No, Sir, I have no objection.

Mr. H. S. SUHRAWARDY: On a point of order, Sir. Is the "leader of the opposition" an official designation?

Mr. PRESIDENT: I leave it to you to put that cap on if it fits you. (Laughter.) If you seriously object I will call it a courtesy title.

Mr. NARENDRA KUMAR BASU: With your leave I move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100 to discuss the undesirability of appointing retired Judges to the Executive Council to fill in vacancies.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. I believe that such a change cannot be made because permanent vacancies are filled up by His Majesty's Government. It will be most undesirable to have such appointments under discussion in this House but so far as temporary vacancies are concerned, it is within the prerogative of His Excellency the Governor to fill them.

Mr. PRESIDENT: If I remember aright, the notification which was recently issued relating to the appointment of a Member of the Executive Council had in it the word "temporary". When you do not qualify a vacancy, it may also mean temporary vacancy. If Mr. Basu is allowed to delete that word the whole thing will be more general and elastic. There can be no objection to the House expressing its own opinion in this matter irrespective of the vacancy being either permanent or temporary.

Mr. NARENDRA KUMAR BASU: Sir, in moving my motion it is needless for me to say that I do not mean to cast any personal reflection upon any member of the House, past or present. I do not think that in reality such an assurance is needed but if it were needed I would give it now in the most decided fashion.

Sir, according to the Government of India Act, section 47, the members of a Governor's Executive Council shall be appointed by His Majesty by warrant under the Royal Sign Manual and shall be of such number, not exceeding four, as the Secretary of State in Council directs. The second clause is an important one. It reads: "one at least of them must be a person who at the time of his appointment has been for at least 12 years in the service of the Crown in India".

Sir, the question of filling up of vacancies, permanent or temporary, by a retired judicial officer is, in my humble opinion, not fraught with any very great difficulty. The question is very easy, in fact my submission is that as a matter of principle it ought never to be done, permanent or temporary. So far as the precedent for the Executive Council of His Excellency the Governor of Bengal is concerned, there is a precedent which, I consider, was started with the appointment of Sir Abdur Rahim, a retired Judge of the Madras High Court. It has been followed up by the appointment of Sir Nalini Ranjan Chatterji, Sir B. B. Ghosh and Sir Charu Chunder Ghose. As regards these gentlemen, personally speaking, I have not the faintest breath of suspicion against any one of them; nor do I say that they are not fit to be members of the Executive Council or that they are not equal to any official or non-official who has held the office of Member of the Governor's Executive Council. But, Sir, as you know under the Government of India Act, section 103, every Judge of a High Court holds his office during His Majesty's pleasure and it is of the utmost importance that the independence of His Majesty's judges should not be touched even by the breath of suspicion. If the idea goes about that the judges of the High Court may have some higher paid appointment to look to under the Crown, then I submit that even though there may not really be any bias in judicial actions of His Majesty's judges there is a danger of the breath of suspicion attaching to them. Judges like Cæsar's

wife should be above suspicion. Nothing is more essential to the well-being and contentment of the people in the province than that His Majesty's judges should be above suspicion and that nobody should dare to say that the action of a judge was directed not by the facts or law before him but by some ulterior object elsewhere and at a distant time. So far as the vacancy under section 47, sub-section (2), is concerned, I take it that you may at once dismiss from consideration the fact that of the 4 Members of the Executive Council the only one who would be qualified under that clause would be a judge and no other person having at least 12 years' service of the Crown of India would be appointed. Therefore, Sir, so far as clause 2 is concerned which refers to a person having at least 12 years' service in India, that may at once be dismissed. From that point of view the only thing that remains is that under the orders of the Secretary of State, as explained by Mr. Reid in answer to the last item, there would be two non-officials to direct and to give advice to His Excellency the Governor regarding matters relating to the province and Mr. Reid has pointed out that that is tradition and the custom has been to have a Hindu and a Muhammadan (Is that the correct word or might I say Moslem?) to give advice of their own community regarding matters in general to His Excellency the Governor. Well, Sir, by appointing a judge from one particular community or from both you are really depriving the Governor of obtaining advice on political matters. I say that advisedly because a judge of the High Court by the very nature of his work is supposed to be above politics, and for the time, 8 or 12 years, that he has been on the Bench, he is supposed to have not taken any serious notice of the political situation in the country or of the political conditions of the country. If he were to do that, his work as judge would be impaired and having kept himself aloof from all politics, after his retirement under what is known as age limit, he, I submit, is not in a position to give proper and adequate assistance to His Excellency the Governor in political matters. These are the two points of view. First, the impairing of the independence of the judiciary in the minds of the public and the second, the inadequacy of the assistance that a retired judge can give to His Excellency in politics. These are the two points on which I base my resolution and I submit that it will not be proper in principle to appoint judges to vacancies in the Executive Council and I therefore submit that the House will agree with me in thinking that the bad precedent which was begun with the Acting Chief Justice in Madras should end with the Acting Chief Justice of Bengal.

Mr. SHANTI SHEKHARESWAR RAY: I would like to offer some remarks in connection with this motion. Sir, I think I may base my comments on the filling of temporary vacancies, because I feel that it is only in respect of such vacancies that we can offer comment at all.

But all the same they are comments which refer particularly to temporary vacancies. They may be taken to a certain extent to represent our views with regard to the filling of permanent vacancies. So far as these vacancies are concerned, they are all made by His Majesty's order, and it would be injudicious on our part to make any comment at least in this Council, after an appointment has been made. I do not know under what circumstances the latest temporary vacancy was filled up, but so far as the personal aspect is concerned——

Mr. PRESIDENT: Has that anything to do with the present motion? I take it to be a motion on general lines. The Council is suggesting that a High Court Judge should not be appointed either to a temporary or a permanent vacancy, but I do not think it has any particular reference to any particular vacancy or any particular incumbent of any post. I would not allow that.

Mr. S. M. BOSE: It is absolutely evident that this item which is absolutely new has never been brought before the House before——

Mr. PRESIDENT: That is a different matter. The House is competent to pronounce its opinion with regard to the principle involved in the motion.

Mr. S. M. BOSE: On an abstract matter?

Mr. PRESIDENT: All principles are abstract; but the motion itself is a concrete proposition in respect of certain principles.

Mr. SHANTI SHEKHARESWAR RAY: When the question comes up——

Mr. PRESIDENT: Order, order. I definitely rule that no remarks with regard to any particular individual whether appointed as a temporary or permanent member of the Executive Council should be permissible but I can certainly allow a general discussion in regard to the principles involved in the question.

Mr. SHANTI SHEKHARESWAR RAY: May I ask if I am not to discuss or criticise the action of the Government of Bengal in connection with the recent appointment, or was it made by the Government of India?

Mr. PRESIDENT: So far as I understand this appointment, it is made by the Local Government. Certainly it is, and of course, you can criticise this appointment without making it a personal question. This appointment has been made and certain principles are involved in it. You can refer to these principles as to whether they have been observed or followed. But you must be strictly impersonal, and only deal with the principle.

Mr. SHANTI SHEKHARESWAR RAY: In view of your ruling, I shall not deal with the personal aspect of the question.

Mr. PRESIDENT: It is not even necessary to deal with the present appointment at all—you can deal with the principle.

Mr. SHANTI SHEKHARESWAR RAY: What I want to say in connection with this is that Government should follow certain well-defined principles in making an appointment of this sort. One of these principles is that before making these appointments Government should ascertain how far such appointment will help the carrying out of the policy of Government. The policy of Government in having Executive Councillors is to associate non-official Indian opinion with the Government. From that point of view, it is essential that the appointment should go to representative men who are in a position to place before His Excellency in Cabinet what is the view point of the people in this province, and who can be more qualified than those who are of a representative character, and who have devoted a considerable part of their lives in dealing with public matters. Sir, by appointing persons who hold office under the Government, Government fully frustrate the Indian view. There is a provision in the India Act in this connection, and Mr. Basu has also pointed out that one of the appointments should be held by a person who has had 12 years' service under the Crown; it is not necessary that the appointment should be given to a European member of the Indian Civil Service. If the Government of India Act was worked in a proper spirit I think by this time an Indian member of the Indian Civil Service, or other public service in Bengal, might have been taken in, and the other three posts filled by representative public men. That would have been the development of the policy enunciated in the Government of India Act. Government have not done anything of the kind; they have gone on appointing, for one reason or another, two European members of the Indian Civil Service, as being indispensable parts of the administration. Sir, we refuse to accept that position that two of the members must be European members of the Indian Civil Service, and then the other two posts are left, and it has been the practice all along to appoint men who have devoted their lives to the public service. Sir, we had the Maharajadhiraja Bahadur of Burdwan, as one of the Members of the Executive Council; we had Raja Kisori Lal Goswami, we had the Maharaja of Nadia, as well. These three were distinguished members of the *zemindars* of Bengal, they were appointed and have not been found wanting. (Hear, hear.) Sir, I would like to press that it is in the fitness of things that an appointment should go to the *zemindars* of Bengal. (Hear, hear.) Sir, I, must say, that I am very thankful for the appreciation of the House in support of my point of view. Sir, if you do not think that there will be a distinct——.

Mr. PRESIDENT: I am afraid you are going out of rails. What about the High Court judges?

Mr. SHANTI SHEKHARESWAR RAY: I am not criticising any particular appointment. I am going to place before the House the principle on which such appointments should be made, and that is that this appointment should go to one of the *zemindars* of Bengal, because they occupy a great position in this province——.

(A VOICE: That has nothing to do with it. You follow the lead of your leader.)

Mr. SHANTI SHEKHARESWAR RAY: My leader represents the Bar of the High Court, and not the *zemindars*, though they belong to the same group. Our views as *zemindars* must therefore be placed before the House. (A VOICE: But if the High Court judges happen to be *zemindars*?)

Mr. PRESIDENT: All the same, Mr. Ray, this is not the occasion when you should come before the House with a beggar's bowl. (Laughter.)

Mr. SHANTI SHEKHARESWAR RAY: May I not make any submission for His Majesty's Government, that there is an anti-*zemin*-feeling in the House.

Mr. PRESIDENT: I will not allow that. It is not necessary for our present purpose.

Mr. SHANTI SHEKHARESWAR RAY: Well, in making such appointments, the point of view ought to be that we appoint capable men, those who can carry on the work of the departments efficiently, who have got a grasp of the situation and the departments, that are to be placed in his charge. I feel that a High Court Judge is the last person to be equipped with any such administrative experience. He may know how to uphold the prestige of the High Court, but he may not be in touch with men and affairs. He may not be in touch with the feelings of the people, and he may not be in a position to advise Government on delicate matters.

Mr. PRESIDENT: Well, Mr. Ray, we shall continue to have the benefit of your advice, to-morrow. It is time to adjourn now.

Adjournment.

The Council was then adjourned to 3 p.m. on Friday, the 16th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 16th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 107 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Civil disobedience movement in Bengal.

***117. Dr. AMULYA RATAN GHOSE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether there was any case of individual civil disobedience in Bengal from the time it was given a start by Mahatma Gandhi and his followers in other provinces, till now?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Member be pleased to state—

(*i*) the names of the places,

(*ii*) the persons concerned, and

(*iii*) the approximate dates of the occurrence of such individual civil disobedience?

(*c*) Have such cases been tried in the law courts?

(*d*) If the answer to (*c*) is in the affirmative will the Hon'ble Member be pleased to lay on the table a statement showing—

(*i*) the number of such cases;

(*ii*) the number of convictions;

(*iii*) the number of acquittals; and

(*iv*) the total number of convicts now in the different jails?

(*e*) Is the Hon'ble Member aware that mass civil disobedience is in abeyance now?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*) Yes, a few cases occurred.

(*b*) Certain persons in Midnapore, Howrah, 24-Parganas, Murshidabad, Jessore, Nadia, Faridpur, Tippera, Rajshahi and Calcutta are said to have practised individual civil disobedience between 1st August, 1933, and 31st January, 1934.

(*c*) and (*d*) 126 persons were convicted, one acquitted, and approximately 77 are now in jail.

(*e*) Government have reason to believe that this is so.

Dr. AMULYA RATAN GHOSE: With reference to (*e*), will the Hon'ble Member be pleased to state why so much expenditure under the head police and jails have been provided in this year's budget?

The Hon'ble Mr. R. N. REID: I think, Sir, that the best time for discussing this will be when we are discussing grants under this head.

Cost of settlement operations in Rangpur.

***118. Babu NAGENDRA NARAYAN RAY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that the cost of settlement operations in the district of Rangpur is being realized from the people?

(*b*) If the reply to question (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) since when the said realisation of money has commenced; and

(*ii*) in which block or blocks such cost is being realised?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Charu Chunder Ghose): (*a*) Yes.

(*b*)(*i*) From January, 1934.

(*ii*) "A" Block.

Maulvi ABDUS SAMAD: Have the Government received any representation from the people of Rangpur for the realisation of Settlement cost by instalments?

The Hon'ble Sir CHARU CHUNDER GHOSE: No such representation has been received.

Maulvi ABDUS SAMAD: Is the Hon'ble Member aware that the realisation of Settlement cost is causing great hardship to the people?

The Hon'ble Sir CHARU CHUNDER GHOSE: There is no question of any hardship. As a matter of fact, the winter rice and autumn rice crops have been very good, and the realisations also have been very good. I may also mention that no certificates have been filed for the realisation of the cost.

Maulvi ABDUS SAMAD: Has the Hon'ble Member any personal knowledge of the condition of the crops there?

The Hon'ble Sir CHARU CHUNDER GHOSE: We have the reports of the Agriculture Department. I have no personal knowledge, not having been there.

Mr. SHANTI SHEKHARESWAR RAY: Is the Hon'ble Member aware that in certain areas in the district there is still a considerable amount of distress?

The Hon'ble Sir CHARU CHUNDER GHOSE: There was a little local damage in a very small tract due to hailstorm.

Mr. SHANTI SHEKHARESWAR RAY: Was there not an assurance given in this House that consideration will be given to this aspect of the question?

The Hon'ble Sir CHARU CHUNDER GHOSE: Consideration has been given in that no certificates have been filed, as I have just mentioned.

Mr. SHANTI SHEKHARESWAR RAY: Is it not having an adverse effect on the collection of the *zemindars* of the district?

The Hon'ble Sir CHARU CHUNDER GHOSE: We have no information on the subject.

Id-ul-fitr holidays.

***119. Maulvi TAMIZUDDIN KHAN:** (*a*) Is the Hon'ble Member in charge of the Finance Department aware—

(*i*) that the "Id-ul-fitr" is the most important religious festival of the Muslims; and

(*ii*) that on the day of the "Id-ul-fitr" on the last occasion, *i.e.*, on the 17th January, 1934, courts and offices of Government were not closed causing inconvenience to the Muslim public?

(*b*) On what basis was the 19th January, 1934, fixed as one of the Id-ul-fitr holidays?

(*c*) What steps, if any, do the Government intend taking to prevent the recurrence of situations like that on the last occasion in future?

(*d*) Are the Government considering the desirability of increasing the number of Id-ul-fitr holidays by one additional day?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) (*i*) Government are aware that the Id-ul-fitr is an important religious festival of the Muslims.

(*ii*) Courts and Government offices were not closed on 17th January, 1934.

(*b*) The list specifying the days to be observed as public holidays in any particular year is published some months before the beginning of the year. The list for the calendar year 1934 was published in September, 1933. The dates announced in that list for the holidays on the occasion of the Id-ul-fitr were the 18th and 19th, January. Those days were fixed because on the information available it was calculated that the festival would commence on the 18th and not on the 17th January.

(*c*) Government will continue to estimate to the best of their ability on the basis of all the information available.

(*d*) No.

Maulvi TAMIZUDDIN KHAN: Are the Government aware that a lunar month cannot exceed thirty days and cannot be less than 29 days?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir, I have no personal knowledge.

Maulvi TAMIZUDDIN KHAN: Have the Government as a whole any idea of the matter?

The Hon'ble Mr. J. A. WOODHEAD: Yes, Sir, if reference is made to the standard books on the subject.

Khan Bahadur Maulvi AZIZUL HAQUE: May I inquire why the system which previously prevailed of fixing alternate days for these holidays have been abandoned, and why the system cannot again be reverted to?

The Hon'ble Mr. J. A. WOODHEAD: I cannot say whether a system of alternate days prevailed in the past. I may however say for

the information of the House that we consulted two Muhammadan authorities, and they both gave the 18th and 19th as the dates for the Id.

Khan Bahadur Maulvi AZIZUL HAQUE: That is not my point. My point is this: previously the Id-ul-Fitr holidays used to be fixed for two dates—one for the day on which the moon might be visible: and if it was not visible on that day, an alternate day was given. Why has that system been abandoned, and why can it not be revived?

The Hon'ble Mr. J. A. WOODHEAD: I am not aware whether that system was in force: so if an answer is required, I must ask for notice.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware of the reason why two days are given as holidays, which is that the moon might be visible on the previous day, and not on the subsequent day?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir, that is not the reason.

Maulvi SYED MAJID BAKSH: Is it not the fact that the Id-ul-Fitr may come either on the 30th day of the Ramzan, or the day following?

The Hon'ble Mr. J. A. WOODHEAD: Yes, I believe so, according to the day on which the moon is visible.

Maulvi SYED MAJID BAKSH: Is it not proper that holidays should be given on the last day of the Ramzan and the first day of the Id month.

The Hon'ble Mr. J. A. WOODHEAD: I am not certain. I think the position is this: The Ramzan cannot exceed 30 days. If the moon is visible on the 30th day, then the first day of the Id is the 31st day. If the moon is visible on the 29th, then the first day of the Id falls on the 30th day. As regards these particular holidays, we were assured that the moon would not be visible on the 29th day; it was however visible on that day, and that created the difficulty. We shall however consider the proposal just made in regard to the holidays in the future.

Press Employees' Association.

***120. Maulvi ABDUS SAMAD:** (*a*) Has the Hon'ble Member in charge of the Finance Department received copies of the Annual Report and Resolutions passed at the Annual General Meeting of the Press Employees' Association, Calcutta, held on the 19th August, 1933, under the presidency of Mr. A. K. Fazl-ul-Haq, M.L.C.?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been or intended to be taken on resolutions Nos. 25 to 36?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Yes.

(*b*) The Report and Resolutions were duly considered, and it was decided that no action was necessary.

UNSTARRED QUESTION

(to which answers were laid on the table)

Typists in the Finance Department.

54. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing for the present—

(*i*) the total number of typists in the Finance Department;

(*ii*) how many of them are Muslims;

(*iii*) how many are non-Muslims;

(*iv*) how many of them are matriculates; and

(*v*) the proportion of Muslim matriculates to non-Muslim matriculates?

(*b*) Is it a fact that a vacancy occurred of late in the typist grade by the death of a permanent typist and that an age-barred non-Muslim has been temporarily appointed?

(*c*) Is it also a fact that the aforesaid vacancy is a Muslim vacancy?

(*d*) If the answer to (*c*) is in the affirmative, what are the reasons that a Muslim has not been given the temporary appointment?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) A statement is laid on the table.

(*b*) and (*c*) Yes.

(*d*) There was no qualified Muslim on the waiting list.

Statement referred to in the reply to clause (a) of unstarred question No. 54.

(*i*) 11.

(*ii*) 3.

(*iii*) 8.

(*iv*) 5.

(*v*) 3 Muslims and 2 non-Muslims.

Maulvi TAMIZUDDIN KHAN: With reference to answer (*b*), will the Hon'ble Member be pleased to note that the non-Moslem who was appointed, was also not qualified?

The Hon'ble Mr. J. A. WOODHEAD: I am not certain: but I think he was qualified.

Maulvi TAMIZUDDIN KHAN: Why was an age-barred person appointed?

The Hon'ble Mr. J. A. WOODHEAD: He was appointed temporarily and not permanently and I believe all the Muhammadan candidates who had passed the previous examination, had already been appointed.

BUDGET GRANTS FOR 1934-35

Mr. S. M. BOSE: On a point of order, Sir. Yesterday you allowed Mr. N. K. Basu to move motion No. 208 although the Rai Mahasai——

Mr. PRESIDENT: Order, order. I gave a definite ruling yesterday and I do not see any reason why the member should try to reopen it.

Mr. S. M. BOSE: So far as I know the rule is——

Mr. PRESIDENT: Order, order. I do not see why a member should question a ruling which was given in a decisive manner. I think I gave a definite ruling yesterday. As I said yesterday, that

motion was not balloted for. Certain names appeared in the Agenda as intending movers thereof. It was in the discretion of the President to have called upon any one of them to move. Besides, the Rai Mahasai was prepared to yield to Mr. N. K. Basu, and so no question of any personal grievance even arises.

DEMAND FOR GRANT.

22—General Administration.

MOTIONS FOR REDUCTION OR REFUSAL.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I was in possession of the House last night and I placed before the House and the Government certain suggestions which in my humble opinion should be taken into consideration and prevail in connection with such appointment. Sir, as the House is aware I hold very strong and definite views in connection with the institution of the Executive Council. As a matter of fact, as regards the number I stand out of my proof and my suggestions should be taken into consideration on the stand I have always taken on the point. So far as this particular motion is concerned I can give only a qualified support to my friend Mr. Basu. As I told yesterday, the Executive Council consists of two parts, one the service part and the other, if I may term it, the non-service part. Of course there is no provision in the Statute Book and there is no provision in the Government of India Act making this fine distinction and I understand no rules have been framed on this subject but this distinction has grown up as a matter of convention. So far as the service is concerned I do not think it very objectionable if a High Court Judge or a retired High Court Judge is appointed to fill such a vacancy. Sir, if the two branches of the administration, the Judicial and the Executive, decide to hug each other with a view to prove their solidarity there can be no possible objection. But if the appointment is made in connection with the other part of the Executive Council I certainly object and I believe my friend had that part of the Executive Council in view when he tabled his motion. We cannot tolerate this encroachment on this section of the Executive Government. I hope in future this point will be taken into consideration and of course I hope that there will be no such occasion for filling up a temporary vacancy, and I believe we need not labour this point too much as it is more or less decided to do away with the Executive Council altogether in response to public opinion of this country.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, yesterday my friend Mr. Basu based his objection on two points, viz., that the

practice of appointing High Court Judges to the post of executive councillors affects in a way their impartiality and secondly that the High Court Judges being very exclusive in their life are not in touch with public or political opinion and therefore their advice to the Governor on occasions when such advice is required is not so helpful either to His Excellency or to the people of Bengal. I would like to answer these two points very briefly. As regards the question of independence, it is inconceivable that a man of the position of the High Court Judge will be swayed in any degree in the discharge of his duty by considerations like what my friend has suggested. To begin with the chances of getting these officiating or even permanent appointments in the Cabinet are so remote that no High Court Judge can look forward to such appointment in future with any degree of certainty. Moreover it is inconceivable to me that a High Court Judge during his official career as a High Court Judge will be guided in his actions by favour or disfavour of Governor. We regard the Judges of the High Court to be above all considerations and like Cæsar's wife above all suspicion. In the past we have had Judges of the High Court acting as Members of Executive Council with very great success, not only here but elsewhere, and I am speaking subject to correction, that even Lord Reading belonging to the highest rank in the judiciary became the Viceroy of India and what a successful Viceroy and Governor-General he was it is known to everybody. As regards the High Court Judges not being in touch with the political opinion, I would like to remind my friend that most of the High Court Judges were successful practising lawyers before they became High Court Judges and as such they were very much in touch with the public life of Bengal. Even after they become High Court Judges, although they may not take active part in the political strife in the country they are certainly quite in touch with the political atmosphere of the province by reading current literature on the subject. So far as politics are concerned, I may remind the House the instance of Sir Abdur Rahim who came from the Judicial Bench and is the leader of a political group in the Assembly, and not only is he a sectional leader but a leader of a party which consists of all classes. I do not think that merely by being a member of the judiciary a man is disqualified and suffers inefficiency in any way. I consider that the spirit of this motion is ungracious and unjust and I would therefore strongly oppose it.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, in rising to speak on this motion I must begin by saying that I do not agree with my friend Mr. N. K. Basu. I have heard a very ingenuous argument which my friend has placed before the House in support of his proposal. I must say at once that there is a good deal of force in his arguments about the Executive Members being above suspicion. They

are really in the same position as Judges of the High Court, who, as my friend has justly observed, must maintain their independence and must like Cæsar's wife be above suspicion. There I agree with my friend, but about his second point, I am sorry I cannot agree with him. The main reason why I beg to differ from him is this: if what my friend has suggested is acted upon, then, I am afraid, the recruiting field would be very much restricted. I would not go into details. Some would like to restrict the post to the *zemindars*. Kumar Shantisekhareswar Ray thinks that *zemindars* have been ignored and so on. I do not think it worth while taking up the time of the Council by discussing that. Such posts ought to be reserved for the best of our men. Then the point arises, where are we to look for them. I do not for a moment suggest that High Court is the only place where we have got our best men. But at the same time I cannot ignore facts. If we look round, what do we find? During the last 50 years many of our best men came from the High Court—our political leaders, our social leaders and so on. Therefore I again say that if we are to exclude the Judges of the High Court we would be restricting our recruiting ground. The field of choice would be very restricted indeed, and it is not desirable that it should be so. I do not, however, suggest that we cannot get suitable men elsewhere, but why should judges be excluded. Certain names are uppermost in my mind. The House must be aware that Sir Ashutosh Choudhuri was a political leader before he became a High Court Judge and after his retirement he went back to his position as a leader of political opinion in Bengal. The name of Sir Ashutosh Mookherji also comes to my mind in this connection. He was leader everywhere. Why should a superman like him be disqualified for an Executive Councillorship only because he sat on the High Court Bench? So I beg to differ from my honourable friend on this point which may affect the interest of the country. These posts in the Executive Council are not meant for Tom, Dick and Harry but they should be filled by the best of persons and if you restrict the choice in the way suggested it would be quite improper. That is my main reason for differing with Mr. Basu.

Sir, it has been already pointed out by some of the previous speakers, that members of the judiciary become political leaders after their retirements. My friend Mr. Momin has mentioned the name of Lord Reading. He was occupying the highest post in the judiciary in England before he was sent out to America in a political mission as a special ambassador and then he came out to India as the Viceroy. He was chosen by no less a person than Mr. Lloyd George who never thought that because Lord Reading was the Chief Justice of England he was unfit to hold political appointment. Then, Sir, it has been said that High Court Judges had to lead exclusive lives and they were not in touch with popular feeling and popular opinion. This is not correct. They may not partake in politics but they are not

bound to live aloof from society. But they are men who know how to maintain their independence, and that is the reason why they are at times appointed to these high posts. To say that these men might become corrupt and lose their independence, because they might be aspiring after appointments with higher pay, is to my mind, not judging High Court Judges properly. Sir, some of the Judges were well known to us. There was Sir Gurudas Banerjea who was a High Court Judge. So were Sir Ashutosh Choudhuri and Sir Ashutosh Mookerjee. Can anyone say that men like them would have lost their independence if this temptation was there? I believe, Sir, it can be said without fear of contradiction that in making selections to high responsible posts every care should be taken that the fittest persons in the whole country are selected. The best man available for Executive Councillorship should be selected, no matter whether he is a *zemindar* or not, no matter whether he is an ex-Judge or not. But because one is a High Court Judge, that ought not to be a disqualification. That is the view I hold, and that view ought to prevail in the present state of circumstances in the country.

Mr. P. BANERJI: Sir, in spite of your ruling, Khan Bahadur Momin and Rai Bahadur Haridhan Dutt have been referring to the names of such persons——

Mr. PRESIDENT: I am sorry but you do not appear to have understood the import of my ruling.

Mr. P. BANERJI: What I was saying, Sir, is that I think these personalities should not have been dragged into this discussion, because we are here discussing on a matter of principle. Mr. N. K. Basu, while moving his motion, amply explained what that principle was. As he pointed out, there were three main departments of Government. The first fundamental principle of a Constitution is to have separation of powers. According to this principle, there are three great powers—the legislative, the executive and the judiciary, and these powers should be distinct from one another. Sir, the Legislative Council is considered as the first power in the hands of the Government, and it is obligatory that whatever laws are enacted here must be put into operation by the Executive. Again, Sir, it is well known that to err is human, and the Executive is naturally apt to commit many blunders. Therefore, it is up to the judiciary to stop the Executive going astray. That is the whole object of administration and of good government. That is the most elementary principle on which is based every civilised government, but unfortunately for this country, the Executive here plays a considerable part in the legislature, though some members on the other side said that this would cease within a couple of years with the advent of Reforms.

Sir, we are here for about five years now, and I do not know whether the term of the present Council is going to be further extended in the hope that the reforms are coming. It has also been pointed out in this House that there is no chance of any other vacancy occurring in the near future, although it is a fact that there is an impending vacancy. In view of these facts, it is but natural that we should raise this point that there should not be any further appointment from High Court Judges. Sir, the Government with the help of this legislature has been able to curtail some of the powers of the judiciary, and Government will now, by throwing out a bait for a promotion, be able to further curtail the powers of the judiciary. The result will be, as pointed out already by Mr. N. K. Basu, that the independence of the judiciary will be affected. Therefore, I say that the High Court Judges should not accept this bait thrown out to them by the Government and thus lower the dignity of the judiciary. It may be natural for the Executive to throw out this bait, but it is certainly up to the judiciary not to accept it and lower the dignity of the administration of justice in the country. Sir, it is quite in the fitness of things that a motion of this nature should be brought before the House for consideration that the Executive should not in this way try to gag the judiciary of the country.

Reverend B. A. NAG: Mr. President, Sir, yesterday Mr. N. K. Basu advanced two reasons, first that it impairs the independence of the judiciary if judges are appointed to or if Judges looked for higher appointments, and secondly because they are unable to give that assistance which His Excellency requires from them. Sir, these words are more high sounding than sound, and I have not followed them. I would like to know if there is a Judge, a Puisne Judge in the High Court in any of the provinces in India, who does not aspire after higher appointments if he is worthy of them, namely the Chief Justiceship of his High Court or some other High Court. Sir, I believe, Mr. Basu will be the first to admit that all Puisne Judges look up to such higher appointment as the Chief Justiceship. Again, Sir, is there a Judge,— a Puisne Judge or a Chief Justice of any of the High Courts of India—who is worth anything, who does not look up to become some day a Member of the Judicial Committee of His Majesty's Privy Council? That, again, is a higher appointment to which he is looking forward. Sir, if these two things do not impair his independence, why should his appointment in the Executive Council impair it? Even in this Council, does not a member representing a particular constituency sometimes look with great expectation to be transferred to the Treasury Bench? Does that very fact disturb his loyalty to his constituency? If it does not, has he any right to say that the Judge is not a fit person for such a post? Then, Sir, to take up the second point, it has been said that the Judge, as a Judge, has

cut himself off from public life, and, therefore, has become more or less unfit to advise His Excellency. I do happen to know some of the Indian Judges in any case. Do they not read newspapers? I have myself provided some of the Judges with some newspapers sometimes. Do they not talk to their children, to their brothers, to their sons, to their daughters? Do they not keep themselves up-to-date as to what is going on in the country? Therefore, Sir, that *ex cathedra* statement of Mr. N. K. Basu is worth nothing. Then, Sir, take an illustration; here is a man brilliant in the legal profession as well as eminent in public life, and for his brilliancy in the legal profession, he is appointed a Judge of the High Court. After a certain number of years either by retirement or by resignation he leaves the High Court, and what is there to prevent him from entering into public life again and to become the leader of a party and to enter this Council as the leader of that party and force his way as a Minister into the Treasury Bench. Is he then fit or is he then unfit to advise His Excellency? If as Minister he can advise His Excellency, why cannot he do so, if he is appointed a Member of the Executive Council? I have in my mind one High Court Judge—a great Judge, an intellectual giant, a genius whom the public when he retired from the Bench expected to enter public life. I personally know it as a fact, and the late Mr. C. R. Das had entered into conversation with him about it. We were all hoping that he would come into this Council and adorn this Council. Sir, I refer to no other personality than that of Sir Ashutosh Mookerjee. Is there a man here who can say that he could not advise His Excellency or anybody on the most important subjects in this country? That would be absolutely untrue. I believe he would have led the whole House if he so wished. Where is the argument against the appointment of a Judge of his calibre? There is, however, one point, and whether this point is in favour of this appointment or against it, I leave it to you and to the Council. A High Court Judge after a few years' service trains himself to balanced judgment, which an Advocate does not, because he speaks according to his brief;—conscience or no conscience, reason or no reason,—the brief must be supported. Now whether the unbalanced mind of an Advocate is to be preferred to a man who has the quality of balanced judgment, I leave it to you. With these words, I oppose the amendment.

Mr. P. N. GUHA: Mr. President, Sir, I have every sympathy with the principle underlying the motion of Mr. N. K. Basu. But I am afraid he has narrowed down the issue too much by introducing the word "High Court Judge." Sir, as a matter of fact, I honestly think that no Government pensioner, be he a High Court Judge or a Divisional Commissioner, should be appointed a Member of the Executive Council. The argument that has been put forward by Mr. N. K. Basu with regard to the High Court do not appeal to me much because

the principal argument that Mr. Basu puts forward is that that would disturb the balance of mind of the Judges sitting on that Bench. Sir, an Advocate or a Barrister generally goes to the Bench probably at the age of 50 or a little on this side of 50, or on the other, and he is entitled to go up to 60. I do not think that a man who loses the balance of his mind expecting something to gain after the age of 60 is a man who should ever be thought of as a Judge of the High Court. In fact, appointments after retirement are not generally expected, and from that point of view I do not take any exception to the appointment of a High Court Judge. All that I want to make clear is that the appointment of a Government pensioner—whatever might have been his position in Government service—is undesirable——

Mr. PRESIDENT: Is that point relevant at all? We are not discussing about pensioners, and I think that point does not arise.

Mr. P. N. CUHA: The reason for my saying so is that the fundamental principle of making appointment is that there must be men who will be in touch with the public, and who knows what public opinon is. I do not think a retired man is in a position to interpret the public opinion in the Executive Council. But no exception need be taken with regard to High Court Judges if you rule me out to speak anything about others——

Mr. PRESIDENT: I cannot allow you to do so unless you are able to prove the relevancy of the new matter you wish to introduce in the debate.

Mr. P. N. CUHA: What I wanted to say is that a retired man and not a pensioner——

Mr. PRESIDENT: That is better but do you mean by that expression a person who is age-barred?

Mr. P. N. CUHA: I will give up that point. As the motion is with regard to High Court Judges, I consider it undesirable from the point of view that a High Court Judge is not exactly the person who has been in touch in all his life with the public and is in a position to give advice to His Excellency the Governor. But I do not agree with the question that such appointment would tempt High Court Judges to lose their balance of mind. It violates the very principle of the section which says that out of so many members there must be one who shall be in the service of the Crown, the implication being that there should be others who should be recruited from the ranks of the public

Babu JITENDRALAL BANNERJEE: Mr. President, Sir, without entering into the question of detail, I rise simply to point out how hopelessly wrong from the point were the examples cited by Rev. B. A. Nag, Rai Bahadur Haridhan Dutt and Mr. Momin. I shall begin with Rev. Nag first. He ended with the case of Sir Ashutosh Mookerjee. I do not understand what analogy is there between Sir Ashutosh Mookerjee who wanted to come in through the open door of the Council and other people who by virtue of their position wanted to come direct to the Treasury Bench. One seeks popular suffrage and the other depends on the favour of the powers that be. There is a considerable difference between the two, and I wonder and am surprised that the Rev. B. A. Nag did not perceive this difference.

Then again Rev. Nag referred to the fact that every Puisne Judge of the High Court aspires after some other appointment, aspires after the High Court Chief Justiceship. In point of fact, every Puisne Judge cannot do that. The Vakil Judges cannot do that, because they cannot be appointed to the High Court Chief Justiceship. This is one of the examples of plentiful ignorances of Rev. Nag. Apart from the question of ignorance, what difference, what considerable difference is there between a Judge accepting the Membership of the Executive Council and a Judge made a higher order of a Judge. If a Judge wants to be a Chief Justice or a Privy Councillor, his promotion depends upon his judicial ability, his power to weigh evidence. These are the qualities that are expected from him to become a better Judge, and if he is a better Judge, he is entitled to become a member of the Privy Council or a High Court Chief Justice. But the qualifications required of a Member of the Executive Council are very different from those of a High Court Judge. The nature of their work is different, their responsibilities are different. Therefore, there is no analogy whatever between one set of cases and the other. Rai Bahadur Haridhan Dutt says that leaders of public opinion, leaders of political thought, leaders of social thought have always been High Court Judges. I have no quarrel with High Court Judges, but all the same is his statement of facts correct? There has been the political movement during the last fifty years in an articulate form, and I shall refer to cases of men who have done first class work. Was Mr. Gokhale a High Court Judge? Was Mr. Tilak a High Court Judge? Was Lala Lajpatrai a High Court Judge? Was Aurobindo Ghosh a High Court Judge? Was Mr. C. R. Das a High Court Judge. Instances come rolling, instances come in floods, and they have drowned the instances which Rai Bahadur Haridhan Dutt has given. Then again, both he and Mr. Momin mentioned the case of Lord Reading. That case tells heavily against them, because in the whole history of High Court Judges, there is only one case of a man who held a high judicial appointment, and afterwards was appointed to a high executive post

not in his own country but in another country. Excepting Lord Reading, could you think of any other man, any other High Court Judge—who was appointed to an executive office within the last two hundred years? (Mr. H. S. Suhrawardy: Lord Birkenhead.) I am coming to that. Mr. Suhrawardy should not have mentioned that point. The post of Lord Chancellor is always a political appointment —never a judicial appointment. I can give instances there also. The Lord Chancellor is always appointed from political and not from judicial considerations. Of course, he is a high Judge; he is supposed to preside over the Court of Equity, but Mr. Suhrawardy,—if Mr. Nag does not know—ought to know that there have been very many Lord Chancellors who had nothing whatever to do with the Court of Equity, never trotted the precincts of the Court of Equity. What was Lord Birkenhead? He was at the Criminal Bar but he was appointed Lord Chancellor simply from political considerations. What was Lord Thurlow? Had he ever practised as a worthy member of the Court of Equity? He was given the Lord Chancellorship purely from political considerations and not from any other. What about Lord Chelmsford? He was made Lord Chancellor not for any distinguished service to the Court of Equity. In practice he was a criminal and common Law practitioner, yet he was made Lord Chancellor from political and not from judicial considerations. Lord Halsbury was also a criminal lawyer and he was also made Lord Chancellor from political and not from judicial considerations. Sir, if in England, you cannot come across a single case where a High Court Judge has been appointed to an executive post, there seems to be some reason behind this uniform practice, and that reason is the one which ought to be considered and applied here also. In England there has been no dearth of able Judges who might have adorned high ministerial appointments yet they were never given these appointments, and why? Simply because the people of England,—the public of England—they are jealous of the reputation of their Judges. It is not for the purpose of casting any reflection on their Judges, but it is for the purpose of maintaining their character,—it is because the public cherish the high honour and dignity in which High Court Judges ought to be held,—that no High Court Judge after retirement ought to be appointed to an Executive Councillorship, whether temporary or permanent. If he cares for the dignity of the High Court Bench, he will be content with the dignity of being retired as a Judge of the High Court, honoured, respected and esteemed by everybody for his independence, impartiality and sense of justice and judicial equity, and he will not look forward to the questionable prize of the Membership of the Executive Council.

Mr. H. S. SUHRAWARDY: Mr. President, Sir, we have been a little bit surprised to find that the amended motion of Mr. N. K. Basu has been seriously taken by himself and by one section of the House.

Mr. Basu is as ingenious as he is plausible, and if we are to congratulate him at all we should congratulate him on the ingenuity with which he had been able to amend his own motion rather than on any merits in the motion itself. I can see that Mr. Basu in the darkest watches of the night tries to find out new lines of research by which he can attack the Government, and it seems to me that he was in an impish mood—it is rather difficult to visualize him as an imp,—but nevertheless that is the nearest that we can get to when he tabled the motion. He has produced a motion not because he was serious about it, but because he considered that this was one more step by means of which he could establish his position as the leader of the Opposition to the confounding of other leaders on his side of the House, both present and absent. He has placed two arguments which have been considered by members and which have been replied to. Before I deal with them, I should like to refer to certain remarks which Mr. P. N. Guha made. I am very glad indeed, Sir, that you were pleased to consider them irrelevant. Had they not been ruled out by you as irrelevant we could have put forward very convincing arguments to show that there may be occasions when Government pensioners may with a great deal of justification adorn the position of an Executive Councillor. Mr. J. L. Bannerjee waved eloquence and tried to smother the Rev. Nag with one of his usual fiery orations, but I am afraid he has been unable to understand the point in the Rev. Nag's reference to Sir Ashutosh Mookerjee nor has he been able to understand why the question of a Lord Chancellor being elected from a political party adds force to the argument that there is nothing wrong whatsoever in a retired Judge of the High Court being elected (A VOICE: Elected?)—I beg your pardon—selected as an Executive Councillor. Now, Sir, so far as the position of the late Sir Ashutosh Mookerjee is concerned, Mr. J. L. Bannerjee cannot doubt that before even he sought the suffrage of the people, before even he attempted to enter by the open door of competition, he had been marked as a person who could lead the people of Bengal and direct their policy. He might have accepted the offer of Government to be an Executive Councillor, he might have chosen to come in through the open door as an elected member, but that is not the point. The whole point is whether a retired Judge of the High Court is or is not able to offer as sound and sane advice as a political leader whatever might be the avenue through which he chooses to enter political life. With regard to the Lord Chancellorship, every one is aware that it is a political appointment. Mr. Bannerjee is perfectly right when speaking of the origin of the office he said that the Lord Chancellor's duty was to rectify the inelasticity of the common law. Everyone is also aware that Lord Chancellors have been chosen even when they had no Equity practice. What we have to consider is whether even though it is a political appointment, it has made any difference to the judicial temperament of the Lord

Chancellor. Though he is liable to be removed from office on the fall of a ministry and liable to be reappointed when his party comes into power has any Lord Chancellor failed in his duties because his appointment has been a political appointment? The Lord Chancellor becomes an ordinary member of the House of Lords and exercises the functions of a Judge when the Government falls and because of that has he not been able to perform his judicial functions properly? Referring to Mr. Basu's argument that this hope that a Judge of the High Court might become an Executive Councillor at some future time, may taint the impartiality of the judiciary, I believe that Mr. Basu when he made that point really did so not because he thinks it is sound but to put forward an argument in support of an amendment which he never intended to move. Can the post of an Executive Councillor be considered in any way superior to or more attractive than that of a High Court Judge? Can anyone say that an Executive Councillor is in a better position than a High Court Judge who lays down the laws, and whose position is sacrosanct? Sitting there in his high judicial office he is considered at any rate in the public eye to be a much superior person than the Executive Councillor. Does Mr. Basu think that those persons who were members of the judicial service and have afterwards been appointed as Executive Councillors are happy in being exposed to ironical shafts by leaders of the opposition, liable to be put questions each of which contains subtle insinuations, and without being called to order by the Chair run the risk of being challenged either as stupid persons or as knaves? Would a Judge of the High Court like to exchange his position with that of an Executive Councillor? I verily believe that on the other hand Members of the Treasury Bench would very gladly exchange their position with that of the High Court Judges. Does Mr. Basu think that those persons who are chosen—I will not refer to names because it may be considered that I am dealing with individualities—and as a matter of fact the only person whose name can be taken with impurity and is considered strictly relevant, and whose name has been used freely by many members of this House is Caesar's wife,—does he think that the retired Judges who sit as Executive Councillors have done so because they were anxious to get into those places? I know in many instances they desired to go away and find rest, but they were requested against their will to occupy the places in order to help Government out of a difficult situation. Therefore to think that the impartiality of a Judge of the High Court will be impaired because he might become a Member of the Executive Council is absolutely fallacious—if I do not use a stronger word which means without any substratum of commonsense. The next argument that was placed before us was that inasmuch as a High Court Judge had been away from political life for several years, His Excellency would be deprived of sound political advice. I will only give one sentence in reply to

this. It is far better that His Excellency should be supplied with such advice as a High Court Judge with his balanced mind and his ability to get into the heart of things by the evidence placed before him may offer than those persons who believe that they are in touch with the politics of the province but merely express the views of the surroundings in which they live and which they put forward as the view of the country; in fact they express merely the views of a particular vocal section of the people. It is far better that His Excellency should be supplied with that stable and sound advice which a retired High Court Judge can give than a person who believes that he knows something about politics but is himself carried away by the storms and gusts of political excitement. With these words I oppose the amended motion of Mr. N. K. Basu.

MUNINDRA DEB RAI MAHASAI: Sir, I am sorry I am unable to lend support to the view expressed by my friends, Mr. Momin, Dr. Haridhan Dutt, Rev. Nag and Mr. Suhrawardy. The names of some eminent Judges of the High Court who are no longer in the land of living have been dragged into the controversy. I do not wish to disturb them in the other world. Let them rest in peace. Sir, it is quite possible that Executive Councillors will cease to exist after the introduction of the Reforms and will be a thing of the past like Dodo in Madagascar But, Sir, so long as they are here, I think we are justified in offering our suggestions whether recruitment from the High Court is desirable or not. My friend, Dr. Dutt, referred to the appointment of Lord Reading, the then Lord Chief Justice of England as the Viceroy of India. He should remember that it was not universally approved of in England. There was strong criticism over his appointment on the same principle as is being advocated by us. My objection is not directed to the appointment of any particular person but against the principle of such appointments. It has been in recent years the set policy of Government to appoint retired Judges of the High Court for serving as Executive Councillors. After Sir Abdur Rahim, I think Sir Nalini Ranjan Chatterji was the first retired Judge of the High Court to receive the Executive Councillorship of Bengal. Sir Bepin Behari Ghosh was next appointed as a member of the Executive Council after his retirement from the High Court Bench, and now Sir Charu Chunder Ghose has been appointed to act in place of the late Sir P. C. Mitter a few days after he retired from the High Court Bench. I do not question the ability of any one of these gentlemen to discharge the duties imposed on them. On principle such appointments are open to objection. There is a lurking suspicion in the mind of the people that the expectation of future service after retirement is likely to impair their independence. The recent deviations from the principle so long scrupulously observed have given rise to serious misgivings which should not be brushed aside. I have already pointed out that

it was this deviation from the principle which raised unfavourable comments in England when Lord Reading the then Lord Chief Justice was appointed Viceroy of India.

There was a time when High Court Judges like Sir Comer Pethman did not accept invitation from Government House. But those days are gone. These estimable gentlemen, I mean the three retired Judges just mentioned might have been like Cæsar's wife high above suspicion and might not have succumbed to such subtle influences, but that is no reason why the salutary principle so long observed should be given up. I think, Sir, there cannot be the slightest justification for such appointments.

Sir, for various reasons the people of the country have begun to lose faith in the administration of justice in our courts and such appointments are sure to further undermine that faith which is not at all desirable in the best interests of the country.

Mr. S. M. BOSE: Sir, I beg to oppose this amendment. Mr. Narendra Kumar Basu has urged two reasons and I maintain that both these reasons are unsound and have not followed up in practice. Past history supports my contention. First let us turn to England. The Lord Chancellor as we have heard to-day is the head of the judiciary. Though he is a member of the Cabinet, yet he is out of touch with politics and never takes any part actively in politics; and his sole concern is with the administration of justice. Yet we find that ex-Chancellors have often been appointed Secretaries of State. Lord Haldane, ex-Chancellor, was appointed Secretary of State for War; Lord Halisham, ex-Chancellor, was appointed Secretary of State for War, and there are many other instances. Then let us turn to India. Madras is a province where the reforms are admitted to have worked the best. There, we find that Mr. Justice Krishnaswami Iyer was appointed Member of the Executive Council; Mr. Justice B. R. Sunderaram Iyer was appointed Executive Councillor. Then we know Sir Ali Imam, who was Law Member, on retirement was appointed Judge of the Bihar High Court, and then when he retired, was appointed Member of the Bihar Executive Council. Sir Sankaran Nair, who was an eminent Judge of the Madras High Court, was appointed Member of the Viceroy's Executive Council. The well-known persons that I have just mentioned were men of fearless independence and I have not heard anybody say that they were subservient Judges. Now turn to Bengal. Sir Shamsul Huda in 1912 was appointed a Member of the Executive Council. He retired on 8th June 1917, and on the same day he took his seat as Judge of the Calcutta High Court. I submit that the objection raised by Mr. N. K. Basu applies equally well where a Judge is appointed to the Executive Council and *vice versa*. Then I come to Sir Abdur Rahim. He was a Judge of the Madras High Court and he retired in 1920; he was at once brought here as a Member

of the Executive Council. We all know that Mr. Bhupendra Nath Basu had a hand in his appointment. Mr. Bhupendra Nath Basu wa as good a patriot as any of us here and yet he felt no scruple in getting Sir Abdur Rahim appointed as a Member of the Executive Council. Then, Sir, I come to the case of Sir Nalini Ranjan Chatterjee. He was appointed to officiate as a Member of the Executive Council from April to July, 1928. Then Sir B. B. Ghosh was appointed no less than three times; first from October 1930 to February 1931: secondly, from August to December 1931, and for the third time, from January to April 1932. The mover of this amendment, Mr. N. K. Basu, and Mr. J. L. Bannerjee, Mr. P. Banerji and the Rai Mahasai were all members of this Council then, and I have in vain made searches in the budget-cut motions for these years to find any motion brought forward against the appointment of Sir B. B. Ghosh. I find that on the 14th of March 1932 Sir B. B. Ghosh moved a demand for Land Revenue.

Mr. H. S. SUHRAWARDY: We are really descending to personalities, Sir. If that appointment had not been discussed when Sir B. B. Ghosh was appointed, it does not mean that if it were discussed it would be discussed on any other question than that of principle.

Mr. PRESIDENT: I was also wondering why it was necessary for the speaker to name all these gentlemen: these appointments were then known and widely known but what are your deductions therefrom? Instead of naming a person so appointed, you ought to show that such appointment was not wrong in principle, as you are opposing the motion of Mr. Narendra Kumar Basu who holds that it is absolutely wrong to select High Court Judges for Executive appointments.

Mr. S. M. BOSE: The point I wish to make is that in none of these three years anybody made any objection on principle. Mr. N. K. Basu and others were members of this Council then and they never dreamt of objecting to such an appointment on these grounds: that is the point I make and I challenge any one of my friends to show me any budget cuts on this subject during any one of these three years. Sir, no principle or rule I maintain has ever been violated in this particular instance: on the contrary it is in accord with past history.

Mr. PRESIDENT: What particular instance do you mean? You must remember that we are not dealing with any particular appointment.

Mr. S. M. BOSE: I mean the particular appointment in the present instance.

Mr. PRESIDENT: I shall not allow you to say anything about any particular case.

Mr. S. M. BOSE: In ordinary appointments there must be rules and regulations, but in the case of the higher appointments, appointment at the top, I submit there should be no such restrictions. The sole test for this is this: is the person proposed to be appointed best fitted for the post having his past record? We cannot go by any hard and fast rule. There can be no bar, no bar of incapacity, against a person being appointed to a particular post. Here I wish to mention that those who were in this Council in 1924 know full well the great alarm produced in this Council when an injunction was issued by Mr. Justice Ghose against the President of the Council, Sir Evan Cotton: that injunction I believe caused the stoppage of all work. I have no doubt that it was quite wrong, but that shows the independence——

Babu JITENDRALAL BANNERJEE: May I point out, Sir, that your ruling is being departed from again, inasmuch as the member is dealing with the appointment, which is not in question?

Mr. S. M. BOSE: I submit that this motion has in view this particular appointment.

Mr. NARENDRA KUMAR BASU: Not at all: not at all.

Mr. S. M. BOSE: I maintain, Sir, that this motion is not an abstract *a priori* motion but it deals with a certain particular fact.

(No, no, from several parts of the House.)

Mr. H. S. SUHRAWARDY: The member should not be permitted to say that, as Mr. N. K. Basu has made his position very clear and we must accept his statement.

Mr. PRESIDENT: Order, order. Mr. Bose, I quite agree, is entirely wrong. He cannot go beyond the ruling which I gave yesterday. No one has directed any attack against any individual. I warn Mr. Bose not to forget that by my order the discussion must be absolutely impersonal.

Mr. S. M. BOSE: I take it that this motion has not been made without any reference to the existing facts.

Mr. PRESIDENT: Order, order. We have heard enough of that: if you have any real argument to advance you may do so.

Mr. S. M. BOSE: I maintain that the so-called principle has no rhyme or reason. It has never been accepted in practice and past history is entirely against this unsound principle and I therefore oppose the motion.

The Hon'ble Mr. R. N. REID: I feel, Sir, that Mr. N. K. Basu has not a very strong case, although with his customary ability and in spite of an unbalanced mind he made the best of it, and I do rather feel that the trend of the discussion to-day has been against his motion. However, the mover of this motion directed his attack on appointments of retired judicial officers to posts of Executive Councillors, along two lines; one was that it impairs the independence of the judiciary and the second was that the gentlemen who are appointed did not provide that useful sort of assistance to Government, which a Member of the Executive Council should be expected to furnish. On the general question of these appointments, Sir, it is perfectly clear that this province is not the only one which believes that good can be got out of the appointment of judicial officers to the Executive Council. We have had, I think, nearly all the precedents in the different provinces already cited to-day from different quarters of the House and I do not think I need repeat them, the list is a formidable one. As far as I know, no such motion has ever been tabled in any other Legislative Council in India and there has been nothing that I am aware of to show that the appointment of those gentlemen has either impaired the impartiality of the local bench or has failed to provide the Government of the day in the provinces where those appointments have been made, with the assistance that the Government is entitled to expect from its Executive Councillors.

As regards the argument that such appointments impair the independence of the judiciary, I must say that it is very difficult, I think, for the ordinary individual to credit that appointments such as this occurring not as a regular thing, and seldom being made permanently, but usually for a temporary and generally short period it is difficult to credit that such appointments can really interfere with the impartiality of the judiciary. And I think it is a serious reflection on human nature to hold that it could be so. In fact if this argument were to be carried to its logical conclusion, there is no knowing where we should stop in the way of making appointments from the judiciary to the Executive. Take for instance the appointments within the judiciary itself. Acting appointments of High Court Judges are made from amongst the District and Sessions Judges by the Local Government: but can it be said that every District and Sessions Judge is impaired in his judicial impartiality by reason of the fact that he may hope for promotion to a higher court? Then again, you might also apply this argument to the question of conferment of Honours on the Bench. Honours as we all know emanate from the Crown; but they emanate *via* the

Executive Council which recommends them, and I do not think it has ever been suggested that no Honours should be conferred on High Court Judges, simply because their impartiality may thus be impaired. I do not think Sir, that that argument, of the independence of the judiciary is really a very strong one and I do feel that the arguments that have been adduced in support of it have not impressed us very much this afternoon.

Next, there is the question whether the officers who are appointed from the Bench to the Executive Council are—for I believe it comes to this—of real use to Government. I submit that education in politics is not the only qualification which will make a gentleman useful as an Executive Councillor. Far from it. Politics is no doubt useful education but it is only one side of the education of a man in public life, and to ask us to believe that a High Court Judge lives in such a world of his own that he knows nothing of politics or of what is going on in the outside world, and therefore his advice cannot be of any sort of use when he is translated from his watertight compartment of law into the bigger compartment of the Executive Council, is I submit quite fallacious. After all, Sir, it stands to reason that an officer sitting on the Bench sees all kinds of human beings; he sees them at their worst and he sees them at their best. He studies human nature in all kinds of cases if he is on the Criminal Bench: if on the civil side he has to do with all kinds of situations that arise in commercial or in any other kind of life; in fact they probably get in that way just as wide and valuable an experience of life in general as anybody else and also bring to their work as Executive Councillors a trained and also an impartial mind. I say impartial advisedly because I do not accept the argument that these appointments impair their judgments. I find it difficult to credit, Sir, that the Government to-day cannot get from a gentleman from this quarter just as much assistance, even better and more valuable assistance than they can get from anywhere else. Sir, the time is getting short and I do not think I need labour the point further. I oppose this motion unless Mr. Basu agrees with my view and feels himself inclined to withdraw a motion which has not received much support in the House.

Mr. Narendra Kumar Basu's motion was then put and lost.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Mr. NARENDRA KUMAR BASU: Sir, may I have your leave to move motions Nos. 213, 216, and 225 together?

Mr. PRESIDENT: Yes, you can do that.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On a point of order, Sir. Do not the three motions enumerated by Mr. Basu involve two different principles?

Mr. PRESIDENT: I feel inclined to take 214, 216, 218, 219, 220 and 225 together. Is there any objection?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On a point of order, Sir. Motion No. 213 is quite different from the others.

Mr. PRESIDENT: In what sense?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Motion No. 213 is for total refusal of the pay of Ministers which would spell the end of diarchy for one year at least, while the others relate to a reduction in the Ministers' salaries so that if the motion Nos. 216 and 225 are accepted by the House diarchy will remain though the Ministers will receive reduced salaries.

Mr PRESIDENT: We generally take up motions for total refusal first and if they are defeated we take up motions for reduction. I feel that all of them come under one principle and no harm can be done if I put them separately. I am trying to save time and nothing more.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, is it your ruling that whether the transferred departments be abolished by a total refusal of the Ministers' salaries, which will be the case if diarchy ends or that the transferred departments should be managed by my friends over there, a contingency which might happen if the salaries are reduced?

Mr. PRESIDENT: If the salaries are refused, it will be tantamount to the House saying that they do not want the present ministry, or does Mr. Basu mean anything else?

Mr. NARENDRA KUMAR BASU: May I rise on a point of explanation, Sir? I would request my friends the Hon'ble Ministers to rest their souls in peace because the motions which I have enumerated are directed to one and the same matter—whether the pay they will get will be such-and-such or nothing. I submit, Sir, that all these are economic cuts.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On a point of order, Sir. How can a motion for total refusal be styled as economic cut?

Mr. PRESIDENT: (to Mr. N. K. Basu) At present you want to move motions Nos. 213, 216 and 225? Is it not so?

Mr. NARENDRA KUMAR BASU: Yes Sir.

Mr. PRESIDENT: Is not our construction that a motion for total refusal of salaries means no confidence in the present Ministers.

Mr. NARENDRA KUMAR BASU: Sir, if you would kindly reserve your ruling on this question till I have made my submissions while moving motion No. 213 and then if you think that the other two motions of mine do not come in and ought not to be discussed, I shall not move them. If you accept that, that will be the best solution of the difficulty.

Mr. PRESIDENT: My difficulty is this: that one of the motions, namely No. 213, *prima facie* indicates no confidence in the Ministers, while the other two, namely Nos. 216 and 225, indicates economic cuts.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Might I submit Sir that it is not so. What I mean is that if the total salaries of Ministers are refused His Excellency the Governor will not be in a position to appoint any Ministers for the next year.

Mr. PRESIDENT: How is that? Surely His Excellency the Governor can appoint another set of Ministers and the Government can come forward with a fresh demand.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The line of demarcation is——

Mr. PRESIDENT: Order, order. To my mind the line of demarcation is that the total refusal of the salaries of Ministers means that the present Ministry would have to go, while the other two indicate that the present Ministers can draw a lesser pay.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I think that motion No. 213 indicates that there will be no Ministers, while the others, namely motions Nos. 216 and 225, imply that the ministry will remain with a smaller salary.

Mr. PRESIDENT: That is what I have said. I think we had better take up motion No. 213 separately to satisfy the Hon'ble Ministers.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I think, Sir, that the Hon'ble Mr. Woodhead has explained the position clearly.

Mr. PRESIDENT: That is also what I had already said, but the Hon'ble Minister did not seem to follow me.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am sorry Sir.

Mr. PRESIDENT: (to Mr. N. K. Basu) I think you had better move motion No. 213 first.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 1,82,400 under the head "22E—Ministers—Pay of officers" be refused.

Sir, I want to make it clear in order to allay the doubts that have arisen in balanced minds that I do not want to move this as a vote of no confidence. Whatever the effect of this in law may be my sole purpose in moving this is an economic one. Sir, my submission is this.

Mr. PRESIDENT: But you cannot get out of the fact that by moving this motion you are out to kill diarchy.

Mr. NARENDRA KUMAR BASU: I shall just try to show that diarchy will not be killed if this motion of mine is accepted.

Mr. PRESIDENT: If you succeed in showing that it will undoubtedly be a wonderful performance. (Laughter.)

Mr. NARENDRA KUMAR BASU: Sir, what I submit is this: that so far as the pay of the Ministers and the scales at which they ought to be paid are concerned they have been discussed in this House during the last 4 years—I will not go back before that—on three occasions. In 1930, 1931 and in 1932 they were discussed and there was no discussion in 1933. In 1930 we have not had the privilege and advantage of having a reply from the ministerial benches, that is to say not from the official side, at all because the guillotine fell. In 1931 the Ministers did not choose to give any reply but the then Finance Member, Mr. Marr, said "The present system of Government has not very much longer to live, a year or two, at best three years, and then you will have a new Government when the question of the salaries of Ministers will be an important matter to discuss." Other members of the House, including the official members, thought and they gave expression to their views yesterday that we are at the fag end of the present constitution, and as the impending constitution like Damocles'

sword is hanging over our heads, this matter can be postponed. Then again in 1931, in March, Mr. Marr said that the Council had better not discuss the question of salaries at that time. In 1932 there was no discussion on this question at all.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir I think the position taken up by Mr. Basu is untenable, in view of the provisions of the Government of India Act, section 52, where it is provided that there may be a salary, it may be a smaller salary than that provided for at present, in any case there must be a salary.

Mr. PRESIDENT: The word "may" is there. Let us hear Mr. Basu's arguments.

Mr. NARENDRA KUMAR BASU: Now that this point of disorder has been cleared, I will proceed with my submission. In 1932 as I have said, there was no discussion in the Council about the Ministers' salaries. In 1933 there was a discussion and the old familiar story of the impending changes in the constitution and another equally famous hoary chestnet, namely that status in this country very largely depends on the salary received by a person were trotted out. I submit Sir, that the question of the impending constitution need not affect our judgment in this matter at all. It is not a question when the constitution is coming in, it is a question of what we have got to pay in the ensuing financial year, and so far as the question of status is concerned, it is equally untrue to suggest that status in this country depends upon the salary drawn by persons. Sir, we in this country at least are familiar with the status of persons who from the point of wordly wealth are akin to beggars, and they are held in the highest estimation in this country. I am stressing the words "in this country" Sir, because in 1933, the then Home Member said that the status at least in this country depends largely on the emoluments drawn by the persons. Even in England——

Mr. PRESIDENT: But you are refusing the whole amount.

Mr. NARENDRA KUMAR BASU: Even in England, Sir, if you will kindly give me a couple of minutes——

Mr. PRESIDENT: Why do you raise the question of status as based on salary?

Mr. NARENDRA KUMAR BASU: That was the question.

Mr. PRESIDENT: Are you advocating that there should be honorary ministers.

Mr. NARENDRA KUMAR BASU: That is exactly so.

Mr. H. S. SUHRAWARDY: That is an unbalanced judgment.

Mr. NARENDRA KUMAR BASU: The question of unbalanced judgment and impish devotion to midnight oil which saturates my friend Mr. Suhrawardy's speech does not arise. I am submitting to this Council that if Ministers are to work *gratis* they would not lose in status at all, and moreover I would ask the Hon'ble Ministers to remember that a Minister in a sister province did not lower his status in any way—I am referring to Sir Ganesh Dutt Singh—by the fact that he voluntarily accepted a very low salary, in fact, we know that he works on less than Rs. 600 a month and gives the rest away to charity. Sir, I shall appeal the Ministers, and I am very sorry to observe that whenever this question has been discussed in this House, personal appeals to the Ministers have always fallen on deaf ears. They have not condescended even to give a reply as to their personal views in this matter. I have heard a whisper outside the Council that if the Ministers were sure that the saving on their reduced salaries were to be devoted to the interests of the nation-building departments, they would be prepared to work on lesser salaries. I submit that if the Hon'ble Ministers were to get up in this House and make a public declaration to that effect, whether the Finance Member could be prevailed upon to devote that saving to the nation-building departments——

Mr. PRESIDENT: But you are refusing them any salary at all.

Mr. NARENDRA KUMAR BASU: If they offer Rs. 1,82,000, the whole of their salaries to the Finance Member, and if they say that we are offering this sum for the purpose of the nation-building departments, if they get up in this House and say "Here is this gift which we offer to the Finance Member on condition that it is spent on nation-building purposes," I submit, remembering that they are three out of 7 in the Cabinet, if the Finance Member were to raise any objection, I am sure that they would be able to carry their point, and how much that would raise them in the estimation of the public by a gesture of that sort. I am sure that if they were prepared to work without a salary, and make a public declaration to that effect, their prestige and influence in the country would not be lowered. I make a personal appeal to them, and ask them to lay their hands on their hearts and remembering that two of the Ministers have been drawing these salaries for the last 4 years, and one for the last three years can they honestly, well, I will not say honestly, fairly say that in 30 years outside they would have earned these sums? I submit that in the last 3 or 4 years they have taken more out of the public coffers than, but for the fact of the bogey of prestige, they would have been entitled to, and if they

make this gesture and give up their salary for the next year or two when the new constitution is awaited, I think they would raise themselves very highly in the public estimation. I make this offer, and I hope one of them will get up and say "I accept this."

Mr. PRESIDENT: You must make it clear what reasons are involved in your amendment. So far as I understand it, you are not attacking dyarchy at all? You want honorary Ministers?

Mr. NARENDRA KUMAR BASU: They may be made honorary, or they may forego their salaries next year seeing they have drawn princely sums out of the exchequer of the country for the last three or four years.

Babu JATINDRA NATH BASU: It is difficult to follow the arguments advanced before this House by my friend Mr. Narendra Kumar Basu, whose mind appears to be fixed on saints and sadhus. Those are persons towards whom we, the people of this country, have the greatest regard. They generally spend their time in peaceful contemplation in hermitages. Unfortunately the affairs that have to be conducted by the Ministers are somewhat different from what prevails in the atmosphere of the hermitages. Mr. Basu probably forgets the state of things that prevailed in this country a little over 100 years ago. There were officials, officials in responsible positions who were usually paid Rs. 50 or Rs. 100 a month. They used to go back to their own country and were known as "nabobs" there. Things then went on in a manner which will probably not satisfy Mr. Basu. Mr. Basu has raised the question that certain persons would not have earned the income which they earn, by reason of the grant voted by this House. The entire question depends upon the heavy and responsible burden of duty placed on their shoulders. They conduct important departments of the State and have a very large amount of patronage in their hands. They have to hold the scales even, and it is for us to see that the administration is conducted in an efficient and clean manner, and to see that the Ministers are placed absolutely above temptation. It is not only that. Because apart from the question of pay, we have great confidence in the character of the Ministers. But it is up to this Council to see that the Ministers are paid sufficient remuneration. There is also the question that they are a part of the Cabinet of the Province, and while the other part whose pay is not under the control of this Council is getting a particular remuneration, why this Council, which has the control over the remuneration of the Ministers, should be so niggardly as to pay them nothing. That is an argument which it is difficult to understand. I oppose the cut.

Rai Bahadur SATYENDRA KUMAR DAS: Sir, I rise to oppose the motion. I am not a little surprised to find that after the perusal of the budget presented by the Hon'ble Finance Member, this motion has been moved at all. We find that our nation-building departments have been treated with scanty courtesy and the total provision for them barely exceeds two and a half crores. After this it would have been our duty as representatives of the poor people of this province to stand by the Ministers and join in an effort to secure more money for the departments which are under their care. Instead of that I find an attempt being made to reduce their salary! Why is this attempt made? I will perhaps be told that a tender solicitude for economy has actuated some of my friends to table this motion. But I feel chary to accept that explanation. For economy is made of sterner stuff. Economy effected by a cut in the salary of three Ministers is a travesty of economy. I will not discuss if there is much scope for economy in the province. But I would ask the Council to insist on a substantial portion of the sum that will come to Bengal as its share of the revenue derived from export duty on jute should be given to the Transferred Departments which are being starved. This will make it possible for the Ministers who, unlike the Members of the Executive Council, are responsible to this House to give effect to many schemes of lasting benefit to the people of the province. Education, sanitation, the industries—all cry for help. And unless help is forthcoming the material progress of the people will be impossible. The Ministers, we all know, have been fighting against tremendous odds—fighting a cause which is ours. Should we help them or should we try to perturb them?

What will be the result if the motion is accepted? In all probability the Ministers will resign. And then what will happen? A scramble for the posts and, perhaps, another period of ministry-breaking and stagnation in the Transferred Departments of Government. Is that desirable? I hope my friends will agree with me when I say—No.

I have not the least doubt that if a scheme of reduction in salaries above a certain standard is prepared the Ministers will not hesitate to support it. But to leave the other posts as they are and reduce the salary of the Ministers would be an act of injustice which cannot be supported. If our friends who are keen on reducing the salary of the Ministers had really been actuated by the conviction that the Ministers should set an example to the others by suffering some sacrifice the proper way would have been for them to discuss the matter with the Ministers and induce them to propose such reduction. That would have been a great achievement and a glorious example. But to press a cut motion in the Council simply because we have the power to fix the salary of the Ministers would be interpreted as expressing want of confidence in them. And I am sure it is not the intention of my friends to do so, especially when on personal grounds we all want that they

should be in their places and carry on the very useful work they have been doing. They have achieved success such as is not generally achieved with the slender resources at their disposal, and provided with necessary facilities would, I am sure, do much more. They have been able to establish equilibrium where there was constant change and certainty where uncertainty prevailed before. In short they have been successful in creating an atmosphere which is congenial to continued work. This is a great achievement. Let us help them to introduce those schemes and work them successfully.

Mr. NARENDRA KUMAR BASU: Sir, may I ask for leave to withdraw my motion?

Mr. PRESIDENT: I have been exercised in my mind, having regard to the vague language employed in section 52 of the Government of India Act with other sections dealing with salaries, whether Mr. Basu could correctly take up the position that there could be honorary Ministers, but if the House permits him to withdraw his motion, we need not pursue the matter any further.

Mr. Narendra Kumar Basu's motion was then, by leave of the House, withdrawn.

Mr. J. N. GUPTA: I beg to move that the demand of Rs. 1,82,400 under the head "22E—Ministers" be reduced by Rs. 100.

Sir, I have on various occasions while recommending the appointment of a Retrenchment Committee to examine the affairs of our province and to make suggestions about the various ways in which useful economy could be made always laid the greatest stress on the great waste which in my opinion goes on in paying a far higher scale of salary to the Members of the Executive Council and the Ministers than is in my humble judgment is either necessary or possible for Bengal. It is not necessary to repeat the arguments which I have advanced on previous occasions, but I would like to point out that the last Retrenchment Committee again examined this very question and came to the conclusion that the scale of pay should be reduced. Sir, when we are faced with a deficit budget year after year, and this year when even after getting a crore and a half from the Government of India we are still left with a deficit, when the transferred departments have been howling for money ever since the Reforms were introduced into this province to carry on the useful functions which have been made over to them; when the welfare of the country depends entirely on the financial resources which we can make available for the nation-building departments, it is absolutely essential that we should begin and make all possible economies in the higher services so that the money which would thus be available might be utilised for the very purposes for which the

Ministers and their departments have been created. As for the needs of the country in agriculture, public health, education, etc., it is unnecessary for me to dilate. Bengal's needs are by far the more urgent than that of any other province in India. There is no province, therefore, in which need for economy and retrenchment is so great. Bombay has set us an example by tackling this problem in a business-like way and they have been able this year not only to balance their budget but show a small surplus. What are we doing? We are still hoping that we may get a little more from the jute tax. But that is a matter for the future, in the meanwhile are we providing in any way for the urgent needs of the country so that our financial resources and revenues might improve—a point which I stressed in my speech when the budget was introduced and I am sure the Ministers will be the last persons to deny the urgency of such action. Therefore, if we call upon the Ministers not to forego the whole of their salary, as has been suggested by Mr. Basu, but to accept a smaller scale of pay and if they agree to that, they would raise themselves in the estimation of the country and prove to the whole of India that Bengal is earnest in trying to save and economise so that the needs of the people may be attended to. Therefore, I have moved a cut of Rs. 100 in the pay of the Ministers. What scale of pay should be fixed I leave it to the Ministers themselves and to the Council. My cut is an entirely economic one to show my disapproval of the scale of pay which now prevails and to bring before the House the urgent necessity of having some reform in this matter. I do not wish to detain the House with a long speech, because I feel that every member of this House thinks that this is a matter which must be attended to at once. I entirely agree with my friend Mr. Basu that the status of the Ministers will not in any way suffer, if they accept a smaller scale of pay, and I do not think that by doing so they would be open to temptations, a point to which my friend Mr. J. N. Basu referred. I think they will be acting in a way which the country expects that they should act.

Mr. PRESIDENT: Your proposition is that the salary of the Ministers should be reduced by Rs. 100. It is a token cut. But, if I understood your speech aright, it appears that you have changed your mind. You are now pleading for a substantial reduction in the salary of the Ministers. Would you please explain why did you suggest a reduction of Rs. 100? Why did you not suggest a reduction which would bring it to the figure they should draw as salary? Before I put it to the House, the issues must be made clear.

Mr. J. N. GUPTA: I quite realise the difficulty. As the motion stands it is a token cut, and my only object is to make it clear that the Ministers are drawing more pay than they should.

Mr. PRESIDENT: Then why is this reduction of Rs. 100? What am I to put to the House? You should have reduced the figure you want them to draw. The House would then know exactly what they were voting for.

Khan Bahadur Maulvi AZIZUL HAQUE: Probably Mr. Gupta means that it is a motion of no confidence on the Ministers on the ground that they are drawing more salary than they should.

Mr. J. N. GUPTA: That is the way I put it.

Mr. PRESIDENT: Is that so?

Mr. J. N. GUPTA: Yes, for more salary than they should have drawn. But if that be not a sufficient argument then I move this amendment as a motion of no-confidence.

Mr. PRESIDENT: If it is a motion of no-confidence then you should have adhered to the rules provided for such a definite step. You have to express no-confidence in the Ministers either by a total refusal of their salaries or by a specific motion of "no-confidence" as provided in 84A.

Mr. J. N. GUPTA: May I have your instructions as to what that course is?

Mr. PRESIDENT: I have already said what the course is.

Mr. J. N. GUPTA: I have said, Sir, that the salary of the Ministers should be reduced. At any rate I place the motion before the House as a no-confidence motion.

Mr. PRESIDENT: But you cannot do that by means of a token cut of this character.

Mr. J. N. GUPTA: In that case I withdraw my motion altogether, Sir.

The motion was then by leave of the House withdrawn.

Mr. NARENDRA KUMAR BASU: May I draw your attention to the fact that, so far as motions Nos. 216-225 are concerned, as Mr. Gupta said that he would move No. 219 as a motion for no-confidence, on that understanding they were not moved——

Mr. PRESIDENT: I called them out all the same but they were not moved.

Mr. NARENDRA KUMAR BASU: You can give us permission to move them now.

Mr. PRESIDENT: I do not think I could do that. It would not be fair. I do not think such action would conduce to orderly procedure. I am sorry.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 1,82,400 under the head "22E—Ministers (Transferred)—Pay of officers" be reduced by Rs. 100 (appointment of one Minister from the backward class).

Sir, I have moved this motion with the express object of providing a Minister from the scheduled caste. But with your permission I would like to make a verbal alteration in the wording, namely, that the words "backward class" may be substituted by the words "scheduled castes." I want to draw the attention of the House to the fact that the poor men of the scheduled castes are too much neglected. They clamour for their rights and privileges but it is not heeded by the Government or the people from whom they ask for those privileges and rights. Within the last 150 years these people of the scheduled castes are being used by the Government and the people of the country as best as they like but when the question of their rights and privileges——

Babu AMULYADHAN RAY: On a point of order, Sir. Can the hon'ble member say that the scheduled castes are being used by Government as best as they like?

Mr. PRESIDENT: Yes, that is his opinion, may be.

Dr. AMULYA RATAN GHOSE: Now, when they ask for their rights and privileges they are only given hopes, which hopes, however, never materialise. They have been given many hopes that in the future constitution of the country they will be given this and they will be given that: they are told to wait to-day and to-morrow they will get jam. But I ask the Government why not give jam to-day. They have been striving for their upliftment for a long time. They have all along been loyal to their core to the Government: they have been struggling for their existence practically. There are so many seats in the Executive Council of the Government: there are also so many seats in the Ministry: but, Sir, none has been drawn from among them to fill the post either of a Minister or Executive Councillor. There is no dearth of qualified men amongst them. We have heard them speaking on the floor of this House on many occasions. But, Sir, I do not understand why their case is ignored. Sir, I strongly feel that if the conditions of the depressed classes are to be improved then they must have some

Executive hands in the working of the Government of this country and for this purpose I want to draw the attention of the Government that a member of the scheduled castes should be taken in the present Ministry of the Government of Bengal. Sir, we know how Mahatma Gandhi was ready to sacrifice even his life for their cause and we also know that the country at present has given up all political thoughts and they are all now concentrating their energies for the uplift of those poor people of our country. Sir, with this purpose in view our political leaders are moving and if the Government now make a gesture and give them an appointment in the Ministry then I think that justice would be done. Sir, in the present Cabinet there are three Ministers two of whom are Muhammadans and one is a caste Hindu but there is none taken from the depressed classes: this is how they are treated. I feel it a sense of real grievance that our brethren of the scheduled castes should be so treated and I strongly advocate that their case should be given the attention that they deserve. With these words I move my motion for the acceptance of the House.

Rai Sahib SARAT CHANDRA BAL: I stand to support the motion moved by Dr. Amulya Ratan Ghose. Sir, a Daniel has come to judgment. The other day, Sir, Dr. Ghose, when I moved a motion, in support of something for the depressed classes, he opposed me and said that no such thing as depressed classes existed in Bengal. I made a specific statement that the scheduled caste had got no barber, that is to say, that the barbers of the caste Hindus would not shave the scheduled castes. To that statement he remarked that in that case we might be keeping long beards. From this remark I must say that he has got no idea whatsoever of the depressed classes. Now, a man who has no idea regarding the depressed classes has taken up the cause of the depressed classes and is now urging the appointment of a Minister from the depressed classes; so we very much doubt the sincerity of this member in this matter. We the depressed classes know our rights and responsibilities; we know what is to be done and how to proceed and we have left no stone unturned. We have urged this point before His Excellency the Governor and other authorities. I know, Sir, that the caste Hindus of Bengal, especially, will try their utmost to deprive the scheduled caste of their political rights and privileges, and there I find Mr. J. L. Bannerjee looking at me and I do know what he will say. It must be admitted on the other hand that the MacDonald Award as modified by the Poona Pact has given political importance to the depressed class question and in future I must say that the depressed classes of Bengal will play a very important part. And in the future constitution the depressed classes must have some one from them appointed as Minister, because without a Minister from the depressed classes, the depressed class problem cannot be easily explained and solved. We know and we do feel that

there are many technical difficulties in the way. We also hear replies from the Hon'ble Members of the Treasury Benches expressing sympathy for the depressed classes but when we come forward with a definite proposal they say "wait, see what we can do for you." But up till now we have got no definite proposals whatever from the Government except the Poona Pact. (BABU AMULYADHAN RAY: "Then where is Government's sincerity?") We do not question the sincerity of Government for but for that sympathy we should not have been where we are now. It is because Government have expressed their sympathy for the depressed classes that they have been able to advance, though very slowly. I must say that in future the depressed classes will play a very important part and in the future constitution of the Government, we must make it a point to see that a Minister from the depressed classes is appointed. At this stage it is no doubt a fact that if a Minister is appointed from the depressed classes then the depressed class problem will be very easily solved.

With these words, Sir, I beg to support the motion of Dr. Ghose.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I found difficulty in following Dr. Ghose while he spoke in support of his motion because he said that he wanted the appointment of a member belonging to the scheduled castes in the present ministry. He did not say whether it is to be by way of addition or subtraction or multiplication (A VOICE: Or substitution)—yes, or substitution. I find it difficult to follow Mr. Bal who is convinced of the insincerity of this motion and yet supports it. I do not know whether to go with Dr. Ghose and support the motion from his point of view, or to oppose it, or to do nothing at all. (Laughter and cries of don't do anything). I prefer to do the last thing, however and that too for very good reasons. Apart from the fact that I do not believe in cabinets selected on communal principles, there is another reason which I can adduce. After the fate that has overtaken all the economic cuts we find that the treasury benches are still taking a huge bite off the budget of Bengal. Therefore, Sir, we are in a most unfortunate financial position and it would be most unjustifiable to add to the burden by accepting Dr. Ghose's motion. Sir, there is a riddle in German, and as I believe there is no lack of German scholarship on the treasury benches—the riddle is as follows: (Cries of "Give us a translation of it.")

"Der arme Tropf
Hat einem Hut und Keinem Kopt
Und noch dazu
Hat einem Fuss und Keinem Schuh."

Yes, I will give a translation of it. The meaning of this riddle is "that poor fellow has got a hat but no head: he has got a foot but no

shoe." The answer to that riddle is, of course "umbrella." But I suppose there is another answer to it and that is the Government of Bengal! The Government of Bengal has got a showy hat in the shape of the bountiful cabinet, but no head. Coming down to the bottom there is the foot the people but no shoe to put on it. (Laughter.)

The Hon'ble Mr. R. N. REID: Sir, I share Dr. Sen Gupta's views regarding this motion, and I must confess that I find it very difficult to reply to it moved though it was by Dr. Ghose in an impassioned speech on behalf of the scheduled castes. I am not certain whether he belongs to these castes (Cries of "No, no.") He does not belong to the scheduled castes. The second speaker—I mean Mr. Bal—belongs to the scheduled castes. What he demands, Sir, is that this House should discuss this motion seriously. I do not think this House will really take this matter as a thing which we ought to seriously discuss at the present juncture. It is scarcely practicable, I submit, under the present circumstances to add a member of the scheduled castes to the present ministry. The present ministry has been selected by His Excellency the Governor as the ministry which is best calculated to carry on the work of the transferred departments and as experience has proved during the last four years it has enjoyed the confidence of the majority of this House. Whether in the future cabinets when Bengal will get rid of the old gang of the Executive Council, whether the future cabinets will contain the representatives of the scheduled castes is another matter. But I submit, Sir, that under the present circumstances and in view of the fact that we are pretty near great changes in the constitution, I think, Sir, that the motion should not be accepted.

Dr. Amulya Ratan Ghose's motion being put a division was taken with the following result:—

AYES.

Ali, Maulvi Syed Nausher.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Ghose, Dr. Amulya Ratan.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Quasem, Maulvi Abul.
Ray, Babu Amulyadhan.
Raut, Babu Hemeni.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Bazir Uddin, Khan Sahib Maulvi Mahammed.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Chaudhuri, Dr. Jogendra Chandra.
Chowdhury, Haji Badi Ahmed.
Curry, Mr. T. A.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Mr. S. S.
Dutt, Rai Bahadur Dr. Haridhan.
Edgley, Mr. H. G. A.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. R. H.
Ghose, the Hon'ble Sir Charu Chunder.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildoar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Goenka, Rai Bahadur Sir Badridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Mr. Razaur Rahman.

Law, Mr. Surendra Nath.
Maguire, Mr. L. T.
Martin, Mr. C. E.
Miller, Mr. G. G.
Milter, Mr. S. C.
Mitra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukherji, Rai Bahadur Satish Chandra.
Nag, Reverend R. A.
Nag, Babu Sah Lal.
Nazimuddin, the Hon'ble Mr. Khwaja.
Paul, Sir Hari Sanker.
Poddar, Seth Hanuman Prosad.
Raheem, Mr. A.
Rahmen, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Rai Mahasai, Manindra Deb.
Ray, Babu Khetter Mohan.
Ray Chowdhury, Mr. K. C.
Reid, the Hon'ble Mr. R. N.
Ross, Mr. J. R.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Babu Narbadeo.
Roy, Babu Jitendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Sandeelsh, Maulvi Mahammad.
Sahana, Babu Satya Kinkar.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. B. R.
Sinha, Raja Bahadur Bhupendra Narayan, of Raskipur.
Solaiman, Maulvi Mahammad.
Steven, Mr. J. W. H.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Walker, Mr. W. A. M.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 9 and the "Noes" 68, the motion was lost.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 1,82,400 under the head "22E—Ministers (Transferred)—Pay of officers" be reduced by Rs. 100 (to raise a discussion on the municipal administration under the present ministry of Local Self-Government).

Sir, the municipal administration under the present ministry is a sad failure and the administration wholly is nothing but bungling from start to finish. Sir, I will ask the members of this house to remember the passing of the Bengal Municipal Act of 1932 and after that Act was passed, immediately the municipalities all over Bengal, where the Minister wanted to hold elections, were required to hold elections whether those municipalities had their elections just six months, one year or two years before, they were required to hold elections again. To whatever disadvantages they might have been put, to whatever inconvenience they might have been subjected, but the whims of the Minister must be carried out. That was the policy adopted by the Minister in charge of Local Self-Government. Sir, I have direct knowledge about the affairs in connection with the municipal election in Howrah. The Act was published on 1st December 1932 and the order for general election was sent in advance on 11th November 1932, and the order empowering the Bengal Municipal Act was also made on 1st December 1932. The rules regarding the election were published also on the same date, i.e., 1st December 1932 and the elections were held on the 24th and 25th March 1932. The names of the nominated Commissioners were gazetted so late as the 19th October, the election of the Chairman was done on the 7th November and this election was disputed as the rules for election of Chairman were not by that time published, so, it took full one month to decide the dispute and the Chairman actually got charge on the 6th December 1933. Sir, thus the elections were held although the Bengal Municipal Act, as it was passed and published, was even up to that date a

defective one, and therefore several commissioners of several municipalities questioned the legality of holding elections in their respective law courts. Sir, therefore even after the results of the elections were published the names of nominated members could'nt be gazetted, in time. Sir, this early and untimely election had the consequence that several popular, able and competent commissioners of different municipalities could not get in. They were not prepared for an untimely election and therefore they had to suffer, and many of them could not even put up a contest. Sir, it was with an indecent haste that the elections were held in certain municipalities, only three months after the publication of the Bengal Municipal Act. But, Sir, after the elections were held it took 7 or 8 months for the Ministry of Local Self-Government to publish the names of nominated commissioners and even when the names of nominated commissioners were published the defect in the rlues were so glaring that disputes after disputes arose in several municipalities including Howrah, Dacca and Narayanganj, and in some other municipalities regarding the validity of the election rules, propriety of the general rules and the reasonable meaning of the rules and other questions that arose, and for that reason the election of Chairman was deferred and had to be suspended for no less than practically a year and the municipalities had to be run under the hands of chairmen and vice-chairmen who had no longer the confidence of their constituencies and who have no longer been even elected commissioners of the municipalities. Sir, I have referred to the elections that were held in some of the municipalities with such a hot haste according to the whims of the Ministry. In the Kurseong Municipality the election, although it had to be held two years before, is kept in abeyance for the reason best known to the Ministry of Local Self-Government. Sir, these things go to show that the Ministry of Local Self-Government is a failure and a total failure, and the Hon'ble Minister, who is in charge of this department, is quite incompetent to carry out the administration. There were other things in connection with the department which deals with excise, medical and public health, but if I raise those questions I am afraid you will not allow me to do that——

Mr. PRESIDENT: You rightly thought that.

Dr. AMULYA RATAN GHOSE: Otherwise I could have shown that even in those departments there were the worst failures and the Hon'ble Minister is worthless and useless.

With these words I commend my motion for the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: I am not in a position to support the motion of my friend Dr. Ghose and if I speak, Sir, I will not try to answer any of those detailed questions which have been

raised by him. But there are one or two general questions, which my friend has referred to, and I think, Sir, it is my duty, being connected with a municipality and district board to give a reply to these matters. Sir, the amendment of the Bengal Municipal Act was long over-due and the House may remember the time and energy that was required in putting this Act on the statute book and that was done, Sir, after careful consideration by a small committee of Government in which representatives of this House were there and by a Select Committee which also carefully scrutinised the detailed proposals. We were then left to consider the municipal rules and bye-laws which had been formulated a century ago and there was widespread opinion in the country that the time had come when at least some of the provisions should be changed. I think Dr. Ghose was one of those representatives of this House who took a very large amount of time in going through the detailed provisions of the Act and he is responsible, as everyone else, for bringing the Act into being. But I am afraid Dr. Ghose has not tried to find out the implications of this Act and I say openly being myself a chairman of a municipality that it will take more time, much more time than Dr. Ghose imagines, before the complicated rules and by-laws of municipal administration can be promulgated. I feel that under the Municipal Act we have been given the power, the general power, in a municipality to carry out the administration. But there is certain amount of detailed matters power over which have been given to the municipality and the success of which depends upon the framing of the rules of a multifarious nature such as drainage, construction of roads, alignment of markets and many other things. Sir, I am not giving undue certificate to the Local Self-Government Department but as I have been working in a municipality and district board for many years past and with that experience I can say that it will be a credit to the department if it can finish the thing even in one year. In our municipality we have to frame some of these rules and by-laws and I have myself given notice of amendment of the Act itself because I feel that the Act requires to be changed in some respect. But that is beside the point. What I am speaking of is that it is very difficult to frame all these by-laws and rules on the subject in a day. I do not like to say what the Ministry of Local Self-Government did in regard to nominations in other districts, but in our district the result of new elections were not only gazetted in time but also the elections of chairman and vice-chairman were finished in course of 3 or 4 months. I do not know what the people experienced in Howrah, but I certainly feel that Howrah is an eye-sore to many of this House.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There is very little time. May I say a few words?

Mr. PRESIDENT: Yes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am not at all surprised when I see that Dr. Ghose—of course I do not know which university conferred on him the degree of doctorate, it may possibly be Honolulu—would move this motion. He has said that the municipal administration of the present Ministry was a sad failure and to substantiate his statement he said that a Ministry in hot haste held elections under the new Municipal Act. Sir, it is well-known to the House that while any new Act is passed by the legislature it is incumbent on the executive to bring it into operation as quickly as it could. The new Act conferred very wide franchise and other wider privileges than the old Act on the electorate and the Ministry certainly thought that it was its duty to give the electorate the earliest possible opportunity of exercising those privileges. Therefore instead of failing in duty the Ministry tried to discharge his duty according to its humble capacity——

Dr. AMULYA RATAN GHOSE: Over active in duty.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Over active, it probably might appear to persons who had to go through troublesome elections but certainly it was welcomed by the ratepayers who were very grateful to Government for being offered the opportunity of Government controlling meddlesome and obnoxious commissioners. Dr. Ghose said that the Act was defective. Sir, it was this House that was responsible for the Act, which was discussed and considered thoroughly I think, for over 3 weeks (5 weeks I am corrected by Mr. Townend), and Dr. Ghose also took a very actice part in the discussion and if there was any mistake Dr. Ghose should take his full share of responsibility.

(The Council was then adjourned for 15 minutes.)

(After Adjournment.)

(The time fixed for the discussion of the head was reached and the guillotine was applied.)

Dr. Amulya Ratan Ghose's motion was then put and lost.

The original demand under head "22—General Administration" was then put and agreed to.

DEMAND FOR GRANT.

24—Administration of Justice.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 74,40,000 be granted for expenditure under the head "24—Administration of Justice."

The attention of the House is directed to the remarks on pages 60 and 61 of the Red Book. Cut motions already tabled range over such a variety of subjects relating to administration of justice that I do not think it is necessary for me to make any speech at this stage. When the appropriate items are up for discussion, then I shall certainly speak on each of them.

MOTIONS FOR REDUCTION OR REFUSAL.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 68,500 under the head "24A—High Court—Original Side" be reduced by Rs. 100 (retrenchment).

I also move that the demand of Rs. 67,500 under the head "24A—High Court—Appellate Side" be reduced by Re. 1 (recommendations of the High Court Retrenchment Committee).

The object of my motions is to call attention to the question of retrenchment in the High Court. There is a general feeling that though there have been definite and effective retrenchments in all other departments of Government, that policy has not been applied to the High Court. We are proud of the High Court and appreciate the fact that an ex-Chief Justice is now in charge of the Judicial Department. I desire to draw attention to the question of reduction in expenditure. First, take the case of the salary of the Judges. In 1931-32 the actuals less the cut in pay amounted to Rs. 6,32,350. In 1932-33 the actuals less the cut amounted to Rs. 6,42,306, and in 1934-35 the budget estimate now before us is Rs. 6,79,000, an increase over the actuals of 1932-33 by Rs. 37,000. Then take the case of the Official Receiver. Up to 1931-32 he had a fixed pay of Rs. 700 a month, but from 1932-33 he has in addition been getting an extra sum of Rs. 8,000 to Rs. 12,000 a year. Why has this addition been made? I have already drawn the attention of the Hon'ble Member to the High Court Retrenchment Committee's Report of 1923 and I told him that I would like to know how far the recommendations made in that report had been carried out during these 11 years. What about the question of the Honorary Sheriff here as there is already in Bombay? Since the last two years, I have been trying to get the Government to move in this matter, but I fear no tangible progress has been made. If the suggestions made about Sheriffs in the Report are carried out, there will be a gain in the public revenues of at least Rs. 20,000 a year. This office of the Sheriff is a source of considerable emoluments and profit, as has been pointed out by the High Court Retrenchment Committee. Then take the question of the Official Assignee. As I pointed out in March 1933, according to the Report the Official Assignee is the highest paid officer

in Bengal next to His Excellency the Governor. In 1922 his emoluments reached the enormous figure of Rs. 97,600. His average emoluments for the ten years 1920 to 1929 were over Rs. 4,500 a month, more than the pay of a High Court Judge. We have been told that Government have accepted the principle of fixed pay for him. But how far have we got? Then, what about the unclaimed dividend revenue account? It is I believe a very large sum. Last year I was informed that this amount was being checked by the Accountant-General and that Government contemplated introducing a legislation to transfer this amount to them. I suggested last year that that amount should be made over to our Ministers. The report suggested certain ecenomies in the matter of reduction in the number of Assistant Registrars and Court Clerks and reduction in the pay of the Registrar of Insolvency. What has been done in these directions I want to know. Then I ask if the recommendations made in the Report as to ensuring a greater output of work in the High Court have been carried out. The Report suggested that there should be Saturday sittings and holidays cut down so that the quantity of the output of work might increase. The Committee suggested that one Judge could easily sit on Saturdays on the Original Side and take up undefended cases and other matters and thus relieve the work of the other five days in the week, and it was stated that this suggestion was approved by the Bar. It is also suggested that the number of holidays should be diminished. Unfortunately there has been on the other hand an increase in the number of holidays. Then, Sir, the long vacation could easily be curtailed as has been done in England some years ago. If the above recommendations for increasing the output of work had been accepted then I think there would have been no need for appointing additional Judges. There would thus have been a great saving in expenditure. Sir, I want the Hon'ble Member to look into the matter and with his training and experience I have not the least doubt that he could effect considerable improvement in the matter. With these words, Sir, I move my motion.

Mr. PRESIDENT: I think Mr. N. K. Basu might move his motion No. 310 at this stage.

Mr. NARENDRA KUMAR BASU: It is a different matter, Sir.

Mr. PRESIDENT: Why, does it not come under retrenchment? I think you had better move it at this stage.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,28,000 under the head "24A—Administration of Justice—High Court" be reduced by Rs. 100 (number of High Court Judges).

Sir, as has just been pointed out by my friend Mr. S. M. Bose in his speech, the demand for the pay of High Court Judges has been increasing for some years and that is mainly due to the fact that for considerable periods in the year we have had to have additional Judges to deal with arrears of work. Sir, arrears of the High Court as are better known to the Hon'ble Member in charge of the Department to-day, than to me, are something appalling. Litigants who had filed their first appeals as they are called as far back as 1930 are still awaiting to have their cases heard. So far as what are known as second appeals are concerned, we have possibly just finished the 1930 cases; but the bulk of the cases filed since 1931 are still to be grappled with. The same is the case with reference to what are known as miscellaneous appeals. These miscellaneous appeals, Sir, are from interlocutory matters and it is in the fitness of things that these cases should be speedily disposed of. But unfortunately the arrears even in miscellaneous appeal cases are, as I have said, quite heavy. Sir, one of the reasons which I think is responsible for this unsatisfactory state of things is (and I need hardly repeat to the Council the old well-known saying, that justice delayed is justice denied). What are the reasons, why in spite of reforms in the procedure initiated by the High Court as a result of the labours of the Civil Justices Committee presided over by Sir George Rankin which was appointed in 1924 this state of affairs goes in? I say, Sir, one of the reasons why this accumulation of arrears has taken place is the absence of the permanent Judges from the High Court. It may not be generally known to the public outside the High Court what scandalous proportions this thing has assumed. As I have already said in connection with the arrears, the Hon'ble Member now in charge of the Department is in a better position than myself to tell the House what the precise figures are; but for the last two years it has been the unfortunate fate of the litigants in the Calcutta High Court to find that one or more Judges are absent from court for months together without leave—without any leave, Sir, which means that not only no successor is appointed in his place but the work of the court also suffers. Had it been only a stray occurrence, nobody would have minded it. But it seems to me that for the last two years the contagion has been catching, so that Judges, both Puisne and Chief, have been absenting themselves from court for weeks at a time without taking any leave. It may probably be said that if a Judge falls ill or is indisposed or is otherwise unable to come to court, it is better for the public Exchequer that he should stay away without leave, because if he takes leave he has to get his leave allowance and the officiating man in his place would also get the full pay of the Judge; such an argument, Sir, would be extremely fallacious. If the public are denied the services of their highly paid servants and that happens not once or twice, but for considerable portions of the working period of the High Court which, as has just been pointed out by Mr. S. M. Bose, is none

too strenuous, and if you deduct Saturdays and Sundays and the long vacation and the holidays I am quite sure that the number of working days would be considerably less than half of 365—I mean considerably less than 182 days in the year, I think it would come to about 145 or 150 days in the year. If, Sir, out of these 145 or 150 days the High Court is without several regular permanent Judges for a considerable number of days then it is obvious that the litigant public suffers, and the amount of public funds wasted on account of this absence without leave, I would leave it to the House to judge for themselves. Sir, it may not be known to the members of the House but it is certainly not unknown to the Treasury Benches that the rules regulating the leave and allowances of the High Court Judges have been considerably relaxed during the last few years. In fact, Judges are now entitled to more leave and leave allowances than they were entitled to before 1921. If after all this you have the spectacle of several Judges, sometimes one after another, and sometimes one or more simultaneously, staying away from the court because they are not physically fit, then I submit it is incumbent upon them to take leave and allow officiating men to be appointed to carry on the work. Sir, I am conscious of the reply which may be vouchsafed from the Treasury Benches, namely, that the work done by an officiating Judge would not probably be of the same quality as that of the permanent Judge. I shall studiously avoid making any remark about the quality of the work found out by the Judges, permanent or officiating, but I may say this: that it does not matter what the quality of the work is, so long as the High Court gives its decision on cases and does not keep cases pending for an unconsiderably long time. It is certainly better for the litigants in the long run and it is better for the public too. I submit, Sir, that this habit of keeping away from the court without leave has now assumed an alarming proportion and the mere fact that this question has not been raised in this Council for the last three years that this practice has been going on, when both Mr. S. M. Bose and myself have been members of the Council, is, I submit, no justification for turning a blind eye to the case. With these words, Sir, I commend my motion to the acceptance of the House.

Mr. H. S. SUHRAWARDY: One feels undoubtedly a great deal of sympathy with the reasons which have been advanced by Mr. S. M. Bose and Mr. N. K. Basu when criticising the administration of the High Court; but, Sir, we are met at the very inception with a very serious difficulty and it is this, that I doubt very much whether the Government of Bengal or the Member in charge of the Administration of Justice, is in a position to interfere in the internal administration of the High Court, or to give a warning to the Judges if they are absent from the court without leave. This is a matter, Sir, which is entirely within the purview of the Government of India and the only

person who can I think take cognizance of it is the Law Member of the Government of India or the Home Member, or the Legislative Assembly.

Dealing with the points which have been raised by Mr. S. M. Bose, so far as the Sheriff is concerned, I think Mr. Bose possibly knows that there is a movement on foot to the effect that the post of the Sheriff should be made honorary and, knowing that, possibly Mr. Bose has pushed it forward that it ought to be made honorary. A committee has been appointed and it is reporting and I believe that so far as this is concerned it has been accepted that in future the post of the Sheriff will be made an honorary post. With regard to the Official Assignee, it has been pointed out for several years that his pay is very much higher than it should be and it is time that the Government took up the matter. When eminent persons are prepared to become High Court Judges on a fixed pay there is no reason why the Official Assignee should not be appointed on a fixed pay and why he should get as his further remuneration a certain proportion as commission what he is able to realise for the benefit of the creditors of the insolvents.

The suggestion that Saturdays should be made working days, particularly on the Original Side, has I believe been vehemently opposed by almost every one, and I do hope that no attention whatever will be paid to it by the Hon'ble Member in charge of the Administration of Justice.

As regards the question whether High Court holidays have been increased or decreased, I am not in a position to say to offer any comments, but to many of us they seem that they are not sufficient in number. We have such a strenuous time when the High Court is in session that I do not mind if the holidays are interspersed between the working days. But as the question of holidays has been raised and as some of them are to my mind of sufficient importance to my community, I should like very much to know why and how during the last Id no holiday was given to us, and it was not declared a holiday under the Negotiable Instruments Act. One fails to realise, Sir, how this mistake occurred. Hitherto alternative days were mentioned in the calendar dependent on when the moon appeared. On this occasion, possibly because Sri Panchami happened to fall on a Saturday, Thursday and Friday were definitely fixed as holidays for the Id, although Id actually fell on Wednesday. Many of us could not attend court and in many instances I have been informed that cases were struck out owing to both the lawyers and the litigants not being present—this I say not of the High Court but of the district courts—and the parties had to make applications for restoration. But we do hope that in future, either we should ge three days' holidays for the Id or we should revert to the old

practice of holidays being declared, dependent upon whether the moon was visible on a particular day or not.

Mr. PRESIDENT: I have to adjourn the Council now. Mr. Suhrawardy, perhaps you can continue to-morrow.

Mr. H. S. SUHRAWARDY: No, Sir, I shall consider my speech finished.

Adjournment.

The Council was then adjourned till 10-30 a.m. on Saturday, the 17th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 17th March, 1934, at 3 p.m.

Present.

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 86 nominated and elected members.

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

24—Administration of Justice.

In the absence of the Hon'ble President and the Deputy President, Mr. Narendra Kumar Basu took the Chair.

Mr. CHAIRMAN: We were discussing motions Nos. 308, 309 and 310 together.

Mr. P. BANERJI: I rise to support the motion moved by Mr. Narendra Kumar Basu in which he raised the question as to the necessity of the continuance of the same number of High Court Judges since Bihar and Orissa has been separated. Surely, Sir, the volume of court work in the Calcutta High Court which used to have been transacted must have, as a result of the separation, considerably decreased. Under these circumstances, I fail to find any justification as to why the same number of Judges still continues to be in existence now that Bihar and Orissa is no longer within the province of Bengal.

[At this stage Mr. Deputy President entered the Chamber and took the Chair.]

Sir, the object of Government is to effect economy in all directions. If that be their real intention, then what I propose to suggest is this: On an average about 2,700 cases of law suits are being dealt with by the Original Side of the High Court in every year. These cases—at least 50 *per cent.* of them—can conveniently be tried by the Small Cause Court Judges up to the sum of Rs. 5,000. Then, if a civil

court is established, cases from Rs. 5,000 to Rs. 10,000 may be dealt with by this proposed court. There are 19 High Court Judges—here I am subject to correction—and there may be some on a temporary basis. I have already said there is absolutely no justification now for retaining the same number of High Court Judges. That being so, you can without impairing in any way the efficiency of the administration of justice, reduce one or two Judges from the Calcutta High Court. By this reduction of even one Judge from the High Court, you can provide four Judges in the proposed civil court. There are cases in the High Court which were started sometime in the year 1927. These cases are still kept pending. The Hon'ble Member in charge of the portfolio would perhaps say that it is not, but I know definitely that there are such pending cases. However, be that as it may, the proposed court, if established, will be welcome by the public at large, for the simple reason that it will facilitate the speedy disposal of cases with the minimum of expenditure and with the maximum of result to the great relief of all concerned. Further, you have a system of counsel or advocates for whom instructions have to be given by the solicitors. They have made the law suits very expensive and the reason is quite obvious. Sir, if the barristers or solicitors can defend their cases independently, then it will also minimise to a great extent law suit expenses. With these words, I support the motion of Mr. N. K. Basu.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I regret very much that we have come to a point in the discussion in which I am afraid if the suggestions are carried to their logical conclusion, it will bring in such a large amount of political influence on the High Court that it will be most undesirable. I think that to discuss my hon'ble friend's suggestions about the fat salaries of the High Court Judges and about the disposal of pending suits since 1927, etc., would bring in the High Court under political influence which is most undesirable. Am I to understand that the Government of Bengal has used its political influence in the matter? Or are they competent to judge whether a High Court Judge should receive Rs. 4,000 instead of Rs. 2,000 as salary or should dispose of five cases instead of three in the month. Mr. N. K. Basu has spent much eloquence about maintaining the dignity and prestige of the Bar and of the High Court. Will he kindly remember that there ought to be as few discussions as possible about the High Court, and even then it should be carried in a manner which might not in any way affect the prestige of the High Court. I deplore it very much, because it is not the first time that the High Court has been criticised on the floor of this House and that the salaries of the High Court Judges have been dragged into the arena of controversy. I will ask Mr. N. K. Basu that if he has a professional income of Rs. 8,000 to Rs. 10,000 a month would he agree to accept the High

Court judgeship? Is it not a fact that it is very difficult to get from among the senior barristers and advocates men who would accept a judgeship? They do not care to accept the High Court judgeship because their professional income will be affected. Sir, I certainly do not feel, as Mr. Basu seems to feel, that because a man can be had at Rs. 10 a month he would be given Rs. 10 without consideration to the nature of the work he is doing. I submit, Sir, that matters like those which have been mentioned in the House affecting the High Court are matters of detail and should be left to the High Court itself. I certainly cannot agree with men who have no experience of the workings of the High Court who come and say that the High Court Judges should have Rs. 2,000 or Rs. 4,000 a month and that there should be eight or ten Judges instead of sixteen or nineteen. I might as well say that if my friend Mr. Basu or my friend Mr. Syamaprosad Mookerjee takes up a brief before the High Court, he might easily go on arguing for five hours instead of finishing it in half an hour. Sir, the other day I went to the High Court and I saw a very big appeal case being heard by a Judge, and it seems to me that it would take a good few days to finish the case. Clearly the quantity of work that a High Court Judge performs is not the criterion of what he should do. The value of the work of the High Court Judge should not be judged by statistics or by calculating whether he has disposed of three cases instead of five within a given time. These are matters of detail, and I think if these details are left to the High Court Judges themselves, they would deal with them as best as they can. It would, however, be quite a different matter if there is such a state of things that Judges are sitting idly for want of work. If things ever come to such a pass, a remedy will be found as soon as possible, and then it would be the duty of the Legislature to take up the question. Therefore, I think it is very undesirable to bring in all these details in the Legislative Council. I can quite understand the suggestion for the establishment of a city civil court, but that is altogether a different matter and in the discussion of these motions it is quite beside the point. I again repeat that all these details should be left to the High Court itself.

Mr. MUKUNDA BEHARY MULLICK: Sir, I regret very much that in his reply to Mr. N. K. Basu, Khan Bahadur Azizul Haque does not seem to have understood what Mr. Basu said yesterday. What he said was that the number of Judges is not sufficient in view of the fact that some of the Judges are in the habit of leaving the court without making arrangements for the works that they have left over. In view of this, Mr. Basu suggested that on an occasion like that or when a Judge falls ill, arrangements should be made so that the work of the court may not suffer. Mr. Basu's suggestion was that on such occasions, the Judge may go on leave so that officiating arrangements

may be made for carrying on the work of the court. To this my friend, Khan Bahadur Azizul Haque, replies that the Hon'ble Judges should not be brought under discussion in this House which might make them subservient to political influence and things of that sort. Nothing of the kind was suggested by Mr. Basu. All that he said was that in view of the circumstances mentioned, the work of the court, may not suffer. I can assure my hon'ble friend that neither Mr. Basu nor myself will yield to anyone for their endeavour in maintaining their dignity and the prestige of the High Court, as we have all along been brought up in the traditions of that court. I deplore the suggestion put forward by Khan Bahadur Azizul Haque, and I support the motion moved by my friend, Mr. Basu.

Khan Bahadur AZIZUL HAQUE: On a point of personal explanation, Sir, I never said anything in reply to Mr. Narendra Kumar Basu's speech; I was referring to Mr. Banerji's speech in my reply today.

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. Deputy President, Sir, the two points on which Mr. S. M. Bose concentrated his attention, as far as I understand, were the question of the reorganisation of the Sheriff's office and the Official Assignee's office. No doubt he touched on two or three other minor points, but these are the two principal points in his speech, and I desire to reply to them as briefly as I can.

After the Retrenchment Committee of the High Court reported somewhere in 1922, the question or reorganisation of the Sheriff's office was taken up at once for the consideration of the High Court. A Committee of Judges, upon which I had the honour of serving, went into the entire question, including the question of having Sheriffs—who were not to draw any allowances whatsoever—examined the question and made its report. The report was forwarded to the Government of India, but for some reason or other the matter was lost sight of between the Government of India and the Local Government for several years and ultimately when the present Judicial Secretary arrived on the scene, steps were taken to have the matter brought to an early termination and with that view the High Court was approached and the Hon'ble the Chief Justice, Sir George Rankin, appointed a committee consisting of the Hon'ble Mr. Justice Panckridge, the Judicial Secretary and the Registrar of the Original Side to go into the whole question thoroughly on the state of the records as then it was, and to submit a report which could be taken into consideration and upon which orders could be issued. The Hon'ble Mr. Justice Panckridge having announced his intention to proceed on leave early next month, he has been succeeded by the Hon'ble Mr. Justice Lort-Williams, and I can say that the present committee, as constituted, have already

held one or two meetings and are going into the question thoroughly, and we expect that early report should be forthcoming upon which orders could be issued. The allowances drawn by the Sheriffs from 1926 onwards have not been very large compared with the allowances drawn by their predecessors. I have got the figures here, and I find that the allowances are decreasing year by year. The fees payable to the Sheriffs have gone down consistently since 1926, and whereas in the previous years—I mean in the years preceding 1926—allowances sometimes came to about Rs.34,000. At the present moment the allowances are ranging between Rs. 5,000 to Rs. 9,000. Last year, however, the surplus allowances payable to the Sheriffs came up to Rs. 15,000, but as far as indications go there is no chance of that figure being reached. It has to be remembered that the Sheriff, out of the fees levied by him, has to pay for the keeping up of his office, and the allowances that I have already spoken of are the surplus allowances arrived at after paying all expenses. The question of reorganisation of the Sheriff's office may require legislative sanction, but into that I am not going at the present moment. All that I am now saying is that the matter is now under discussion and as such we are not in a position to state definitely what steps the Government of India as well as the High Court propose to take into the matter. I trust that from what I have said will induce Mr. Bose to come to the conclusion that the matter is not lost out of sight and that at the present moment the Hon'ble the Chief Justice is alive to the fact that this matter must be settled in the near future. There is no chance of the matter being slurred over or the matter being allowed to drift—the days of drift are over so far as the High Court and the Government are concerned, and the time has now arrived when an early decision should be come to.

As regards the Official Assignee's office, it is true that under the present arrangements the Official Assignee is entitled to draw a very large sum of money on account of remuneration, but here again the proposals of the legislative authority and for the reconstitution of the Official Assignee's office are under discussion between the High Court and the Government of Bengal. As soon as the discussions are concluded, we shall be able to know definitely what lines of action Government are expected to proceed on. But I can assure the hon'ble member that I am speaking from my personal knowledge that the matter is engaging the earnest attention of the Judges, and it was hoped at one time that the Hon'ble Sir George Rankin, before he proceeded on leave, would be able to conclude the matter so far as the High Court is concerned, and would be able to lay before the Government definite lines of legislation to be embarked upon. Unfortunately, for reasons into which I need not enter, Sir George Rankin found himself unable to attend to the matter between January and February owing to various circumstances, and was unable to give his very valuable assistance to

the solution of the various points raised during the course of the discussion. But the matter is being considered by the Judges, and there is no chance here in this instance also of the matter being overlooked. I think these are the two points upon which Mr. Bose concentrated his attention, and I think the answer that I have given will be considered to be satisfactory so far as he is concerned.

Now I come to the motion of the hon'ble member who lately occupied the Chair. (MR. NARENDRA KUMAR BASU: "That was also a stop-gap arrangement.") Sir, my friend seems to be very fond of the expression "stop-gap arrangement"' I can assure him that what he thinks as a stop-gap arrangement may be made permanent. The hon'ble member complained that the number of Judges was 16, and according to him the number of Judges might have been decreased with profit to the Exchequer and also because he thought that if the Judges stay away from the court without taking leave that shows that a lesser number of Judges would have been in a position to cope with the business of the court and that the existing number of judges would not be required. Sir, I am sorry for more reasons than one that the hon'ble member has made detailed reference to Judges staying away from the court without taking leave. Sir, what has happened during recent years is that in 1931 one Hon'ble Judge had the misfortune of being a sufferer from a very acute type of typhoid fever. I would not have gone into this matter were it not for the fact that a grievance has been sought to be made out because one Judge was not allowed by his medical adviser to leave his bed for four or five months together. I am speaking from personal knowledge, that the medical adviser attending on that particular Judge, on one occasion, told him in my presence not to move from one room to another and that if he did so he was not going to be responsible for his life.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Was he permitted to take leave?

The Hon'ble Sir CHARU CHUNDER GHOSE: Yes, yes. The question of his taking leave was a matter between the learned Judge and the Chief Justice. (MR. NARENDRA KUMAR BASU: "And the public also.")

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Are we to understand whether the Hon'ble Member means that the particular Judge——

Mr. DEPUTY PRESIDENT: What is your point of order?

Mr. SHANTI SHEKHARESWAR RAY: My point of order is this: that if I want to ask a question can I not put it through the Chair?

Mr. DEPUTY PRESIDENT: Yes, you can, through the Chair.

Mr. SHANTI SHEKHARESWAR RAY: I want to ask, through you, Sir, whether this particular Judge was advised by his medical adviser to take leave?

The Hon'ble Sir CHARU CHUNDER GHOSE: What I said was that the question of a particular Judge taking leave or not taking leave is, in the first instance, a matter between him and the Chief Justice, and in the second place, I submit, that these questions ought not to be discussed on the floor of this House. The High Court of Calcutta is under the administrative control of the Government of India: it is not under the control of the Government of Bengal, nor is it under the control of the members of this House. It is a matter, in the first instance, between the Chief Justice and the Judge, and in the second place it is a matter between the Government of India and the Judge, and in the third place, if any third reason is necessary, it is a matter between the Accountant-General and the Judge.

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. Is it in order for the Hon'ble Member of Government to say that the matter under discussion is beyond the jurisdicion of the Government of Bengal which bears all the expenses of the High Court and this House which votes the demands?

Mr. DEPUTY PRESIDENT: I think the matter has already been disposed of by the Hon'ble the President, and he has ruled that this House is competent to discuss the matter.

The Hon'ble Sir CHARU CHUNDER GHOSE: I am aware, Sir, that the matter has been admitted by the President that under the constitution it is—

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Is the Hon'ble Member in order challenging the ruling of the Chair as he apparently intends to do?

Mr. DEPUTY PRESIDENT: (To the Hon'ble Sir Charu Chunder Ghose) You cannot question the decision of the Hon'ble President.

The Hon'ble Sir CHARU CHUNDER GHOSE: Sir, I do not propose to say anything further upon a question which seems to excite the

passion of several members of the House in an undue measure. This is one instance of a Judge being away from the court without taking leave. There was another instance last year in which the Judge met with a serious riding accident. He would have lost his legs had he not been detained in hospital by the advice of his medical adviser.

Babu JITENDRALAL BANNERJEE: Sir, would you do me the favour of asking the Hon'ble Member whether in this instance also the Judge was forbidden to attend the High Court?

The Hon'ble Sir CHARU CHUNDER GHOSE: If the hon'ble member had patience to listen me out, then he would have heard what I was going to say. I want to make it clear that the Judge in question spent a considerable portion of his time in bed on judicial work.

Babu JITENDRALAL BANNERJEE: On hearing cases?

The Hon'ble Sir CHARU CHUNDER GHOSE: I am speaking from personal knowledge.

Babu JITENDRALAL BANNERJEE: May we share in that knowledge? (Laughter.)

The Hon'ble Sir CHARU CHUNDER GHOSE: The Hon'ble Judges are themselves aware of these facts—and that should not in the ordinary course happen—and I believe that these are the solitary instances which happened and that no such instances will occur in future. At any rate, with this explanation all rational-minded people should be satisfied. I sincerely trust that what I have explained will satisfy the hon'ble members on that side of the House.

One hon'ble member complained that although at the time of the inauguration of the Patna High Court the number of Judges of the Calcutta High Court were 19, even now the number is 19 although Patna has gone out. I desire to say this: that at the time of the creation of the Patna High Court the Secretary of State decided that 15 Judges including the Chief Justice should be the normal strength of the Calcutta High Court. The Secretary of State went on to say in his Despatch that additional Judges should be taken in as often as necessary, and when so required. After the Despatch of Lord Crewe it became apparent that the volume of litigation could not be disposed of with 16 Judges and, therefore, an application was made to the Secretary of State, supported by the Government of India, that a permanent Additional Judge should be brought in. The Secretary of

State accepted the proposal of the Government of India, and, accordingly, we have been going on with the normal strength since 1923. At the present moment there are 16 permanent Judges in the High Court. It was only last year that two temporary Additional Judges were brought in for the purpose of clearing arrears which have accumulated so far as the criminal side was concerned. I might inform the House that with the help of these Additional Judges and the permanent Additional Judge the arrears were practically wiped out. But during the vacation and the months following, there was a further accumulation of work and as a result of that, Government were asked to lend to the High Court two Additional Judges to add to the normal strength of the High Court, which consists of 16 Judges and not 19 Judges. As a matter of fact, we have not seen in the Calcutta High Court 19 Judges since the days when a separate High Court was established at Patna. If there is any impression that that was the case during the days of Sir Lawrence Jenkins, I think that impression is divorced from facts because such an impression, if not corrected, would convey a false idea. We are all anxious—when I say "we" I mean the Government as well as the Judges—that the arrears should be disposed of as early as possible. But so long as the volume of litigation goes on as it is at the present moment, there is no help. I might mention in this connection that although professional incomes have decreased very considerably, the number of filings still continue to be very heavy. Over and above this there is an accumulation of work to be disposed of. I submit that the repercussions of these years will be felt, say, in 1937 or 1938, but at the present moment we are straining every nerve to dispose of the arrears—arrears of cases which have been instituted in the mufassal some years back and which had been filed here in the High Court in days when the economic cut—to use a fashionable expression—had not been felt. The House will take it from me that every individual Judge is most anxious to put in a whole day's work in the court and further that the arrears should be brought down to the narrowest possible limits as early as possible. One hon'ble member referred to cases pending from the year 1927. But from a minute examination of the facts and figures, I can say that the 1927 cases are scarcely still on the pending list of the Original Side. Of course I will not go so far as to say that there are not one or two such cases still pending.

There is one point which I should like to clear up. Very often the delay in the disposal of cases on the Original Side is due to the litigants. I know of such numberless instances. Where the litigant is active, his case is disposed of quickly. But where the litigant has at his disposal all tactics and ingenuity which the human mind can devise, the delay is inevitable in the disposal of cases. We have made rules that under Chapter XIII-A——

Mr. NARENDRA KUMAR BASU: These rules are made by the High Court and not by the Government.

The Hon'ble Sir CHARU CHUNDER GHOSE: It is true that these rules are made by the Government of India and not by the Government of Bengal. These are the words I wanted to say and did say, and I believe any reasonable man would have understood my language. These are all the remarks I wish to make on motions Nos. 308, 309 and 310 and I say that I must oppose them and desire to add that I oppose every one of them.

Mr. S. M. BOSE: Having heard the explanation given by the Hon'ble Member, I beg leave to withdraw my motions with the leave of the House.

The two motions of Mr. S. M. Bose were then, by leave of the House, withdrawn.

Mr. Narendra Kumar Basu's motion was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,28,000 under he head "24A—High Court" be reduced by Rs. 100.

Sir, in bringing forward this motion, I shall confine myself to the grievances of what are known as the lower grade assistants of the office of the High Court, because it is their case that demands the most sympathetic consideration from this House. I hope I shall not again be charged with having brought the High Court into the political arena. In fact, Khan Bahadur Azizul Haque, who tried to draw that red herring across the trail of the previous discussion, made certain remarks which I do not know whether to admire most for their impudence or their ignorance. Sir, for a person, who is not connected with the High Court, to pose as having the interest of the dignity of the High Court more at heart than one who has spent his life in the High Court, and who has not only served the High Court from his position at the Bar, but in various committees appointed by the High Court to look into the administration of the High Court's working of different rules and things of that sort, I submit is sheer impudence. And then the remarks made by the Khan Bahadur made it abundantly clear that his remarks were marked by ignorance of the true facts.

Sir, so far as the present motion is concerned, I shall show that the Government of Bengal has consistently ignored not only the facts of the case, but the representatives of the Judges in this matter. Sir, we have here to-day in the present Judicial Member, one whose connection with the High Court is still recent, who has been the head of that court for some time, and who, as we have just seen, has not yet managed to forget that he is no longer in the High Court. I hope,

Sir, that if he brings his experience as a Judge, and an Acting Chief Justice, to bear upon this question, and to force it upon the attention of his colleagues in the Executive Council and the Cabinet, I am sure the poor assistants will have what they want. The question of the poor pay and prospects of the assistants in the Calcutta High Court was brought forward in this House three years ago, and the then Judicial Secretary, Mr. K. C. Nag, who I may say in passing was not a member of the Indian Civil Service as the Hon'ble Member has said a few minutes back—he in his reply stated that "as to the nature of the work done by the lower division assistants of the Secretariat and the clerks of the High Court, all I can say is that the work done in the High Court is no less responsible than the work done by the Secretariat." These are the facts, and if you will kindly allow me, I will give you certain figures. Under the recommendation of what is known as the McAlpin Committee the lower division scale of pay in the High Court was reduced. Before 1919 the scale was Rs. 40 to Rs. 80, whereas the scale in the Secretariat was Rs. 40 to Rs. 100. As a result of the McAlpin Committee, the scale for the High Court became Rs. 45 to Rs. 125, whereas that for the Secretariat was Rs. 60 to Rs. 150. You have just seen that the Government spokesman in 1931 admitted that the work done by the assistants in the High Court was no less responsible than the work done by the assistants in the Secretariat. In this Council in 1921, a resolution was passed that the same scale of pay ought to apply to the assistants in the High Court as well as to the assistants of the Secretariat. Government unfortunately have paid no heed to that resolution. Then there was the High Court Retrenchment Committee in 1923 over which Sir Alexander Muddiman presided, and one of the results of their recommendations was that the upper division of the service of clerks in the High Court was abolished. That is to say, that the prospects of the lower division clerks were further curtailed, and there was, as was natural, a feeling of deep discontent among the members of the staff of the High Court. Upon that, the Hon'ble the Chief Justice recommended that at least a selection grade of Rs. 150 to Rs. 200 might be created for bettering the prospects of the staff. The Bengal Government turned this down. Well, Sir, the Chief Justice again made another representation to the Bengal Government, that the same scale of pay might be given to the High Court assistants as to the Secretariat assistants. Well, Sir, again that was turned down by the Government of Bengal. Then again, Sir, when the matter of improving the prospects of the lower division staff was again represented to the Chief Justice, and the Chief Justice made a recommendation to that effect to the Government of India, here again the Government of Bengal intervened, and the recommendation has not been given effect to. It might be news to the members of the House to learn that the lower division clerks of the High Court are recruited as a result of the same examination as the lower division

clerks of the Secretariat. Why, under these circumstances, the Bengal Government should refuse to pay the same salary to the High Court assistants, who do as much responsible work as is done by the Secretariat clerks, is a mystery, and something, which no normal person can fathom. But in my suspicion, the reason has become apparent within the last week. You know, Sir, that there was a tremendous cry from the country that you cannot get anything done in the courts or in the offices unless you paid something to the ministerial assistants. I was under the impression that the Bengal Government was anxious to see that this form of corruption should terminate and cease as quickly as possible. But when I found the other day Government members running into the lobby against a cut to stop corruption in Government offices, I understood that their point of view was that there ought to be corruption in the lower ranks of the ministerial staff in courts and offices, because the Government of Bengal felt that it does not pay these ministerial officers an adequate salary and therefore they throw it open to these assistants to add to their income and make a living wage by taking as much from the litigants or seekers of information as possible. If that be the reason, why the Bengal Government refuses to pay a living wage to the assistants of the Secretariat, let that be so, but if that be not the real reason, then I submit that there is absolutely no reason why the assistants of the High Court should not be paid at least the same wages as the assistants in the Secretariat. I think that the Hon'ble Member who, as I have just said, is just fresh from the High Court and the Secretary to the Government who has himself been Registrar of the High Court and knows the inner working of the High Court and knows the amount of output of the lower division clerks in the High Court, will put their shoulders to the wheel and see that the lot of these poor assistants are not allowed to continue to be as miserable as it is now.

[The Deputy President vacated the Chair at this stage and the President occupied it.]

The Hon'ble Sir CHARU CHUNDER GHOSE: Mr. President, Sir, there is no harm whatever in saying at the outset that the assistants in the High Court do work the full day's measure always, but from my experience of the High Court, to which reference has been made by the hon'ble member, I can say this, that the work turned out by the High Court assistants is more or less of a routine nature; a good deal of their work is of a routine nature, and that work cannot really be compared with the work of the assistants in the Secretariat. In the Secretariat the assistants are the best paid clerks, but that is because of the fact that the nature of their work is altogether different from the work turned out by the

High Court assistants, and you cannot turn out the work in the Secretariat if you follow a routine style. The second point that I desire to make is that the question of the pay of the High Court assistants is mainly for the Chief Justice——.

Mr. NARENDRA KUMAR BASU: He has made his recommendation.

The Hon'ble Sir CHARU CHUNDER GHOSE: If the Chief Justice has made his recommendation during recent years, and if that has not been considered, I shall undertake to see that they will receive full consideration.

Mr. NARENDRA KUMAR BASU: But that was turned down by the Government of Bengal.

The Hon'ble Sir CHARU CHUNDER GHOSE: I am new to my present office and I have not had the time to familiarise myself with the literature of the subject, but I will do so. As regards the pay, that is principally also a matter for the Chief Justice. But you must remember that these High Court assistants have got always open to them the posts of Assistant Registrars and Bench Clerks which are really highly paid posts. Any man with a moderate amount of intelligence can rise to those posts. There is no reason to think that these posts are not open as an incentive to the people who enter the High Court as assistants. With these words I oppose the motion.

Mr. Narendra Kumar Basu's motion was then, by leave of the House, withdrawn.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 1,28,000 under the head "24A—High Court" be reduced by Rs. 100 (rules of the Appellate Side authorising a Judge sitting singly to dispose of second appeals up to the value of Rs. 500 at their final hearing).

Sir, I have tried to indicate my intention of bringing forward a motion of this nature for the reason I have mentioned. It is to raise a discussion regarding the rules of the Appellate Side authorising a Judge sitting singly to dispose of second appeals up to the value of Rs. 500 at their final hearing and to suggest that the same be done away with as causing want of confidence in the administration of justice upon which the stability of the Government considerably depends. I remember to have raised a discussion of a similar nature before, but it is regretted that no attention has been paid to it. It is still more

regretted when one finds that the august body in the High Court seems to forget that it is the highest tribunal in the land and there should not occur in the minds of the people any want of confidence regarding the dispensation of justice.

Sir, it is perhaps well known that suits have to be instituted in the lowest courts having jurisdiction to entertain the same. Against orders in suits of the values up to Rs. 5,000 there is an appeal to the District Judge and subject to certain limitations, there is a second appeal to the High Court. Whatever the provision regarding these second appeals is there in the Civil Procedure Code, the practice now is that these second appeals are placed for preliminary hearing before a Division Bench consisting of two Judges, when, as figures show, at least 40 to 50 *per cent.* of these appeals are summarily dismissed, and in this case no notice is issued upon the other side at all. There is no rule nor any provision anywhere by which one Judge sitting singly can hear these appeals at the preliminary hearing. After admission, there is a process for causing notices to be served upon the respondent and for the records of the lower courts being called for with which I do not propose to deal, as it is not necessary for my present purpose.

Now, Sir, after these second appeals are ready for final hearing, a division is made between those not exceeding Rs. 500 and those exceeding Rs. 500 in value, irrespective of the merits or complications or anything of the kind that may be involved in those appeals. Those of the former, namely, those appeals not exceeding Rs. 500, are heard by a Judge sitting singly at the final hearing, though, as I have said, it required two Judges for their admission at the first hearing. The question is if this method has done any good at all or if it has hampered with the administration causing a failure of justice or want of confidence in the administration of justice. I hope, Sir, it will not be denied that the stability of a Government depends upon, amongst other things, the confidence the subjects have in the administration of justice as also upon the maintenance of peace and order. If that confidence is shaken to any degree, the stability of the Government is also shaken to the same extent. It requires a little explanation on my part to make the position clear to the House. You will find, Sir, that Part X of the Civil Procedure Code empowers the High Court to make rules for the purpose of regulating their own procedure and procedure of the civil courts subject to their superintendence. These rules are subject to the sanction of the Government under section 126 of the Civil Procedure Code.

Now, Sir, only a few years ago the practice was that these second appeals at the final hearing used to be heard by a Bench of two Judges, for it must always be admitted that two heads are always better than one. But, Sir, there came a time only a few years ago when an idea

towards disposal came to the forefront even in the High Court, and perhaps this has gone ahead of justice in its true sense. Here also they have failed as I shall show presently. But even then the rules only permitted appeals valued up to Rs. 50 to be disposed of by a Judge sitting singly, and with a right of further appeal before a Bench of two Judges under clause 15 of the Letters Patent. The latter rule is also now changed by which the right of an aggrieved party is considerably restricted. Sir, everybody knows and admits it to be correct that human institutions amongst which are also included the courts of law can never be perfect. And nobody takes any exception to anything which is done in a court of law with proper care and caution and with an anxiety to do justice. It has often been judicially observed that a Judge, as a human being if he is entitled to do anything, is certainly entitled to make mistakes. The question is when there is a suspicion raised in the minds of the litigant public and their agents that the ideal was no more kept in view, the whole situation becomes very painful as it results in a want of confidence in the noblest of institutions. For it has been judicially observed on more occasions than one that not only justice is to be done between man and man coming before a court of law for that purpose, but that they must feel that justice is really being done. Now, Sir, nobody can question—much less the Bengal Legislative Council the quality or personality of the Judges of the High Court after they are appointed by His Majesty the King Emperor on the nomination by the local authorities. But a man is a man after all. Following the rules regulating the appointment of the Judges of the High Court, we have seven Judges who were originally members of the English Bar and five of them are members of the Indian Civil Service and four only are members of the Indian Bar recruited from the body now called the Bar Association of the High Court; one of them is still an Additional Judge, being retained for one year only.

Sir, I shall not indulge myself in discussing the relative merits or qualities of these Hon'ble Judges, as I consider that to be improper for myself. But, Sir, you will find that of the three thousand and more second appeals annually preferred to the High Court, more than two thousand are below Rs. 500 in value. It is well known that the value of the homestead of a poor agriculturist may be very small, but that may be his all in all in this world. Because he comes to the High Court for justice, he cannot be denied the same because his is a small matter not calling for any interference by personages like the High Court Judges.

Again, if one Judge's decision be perfectly correct or if it could have inspired that confidence in the public mind as that of a Division Bench consisting of two Judges, there was no necessity of any appeal to the High Court, for they had the decision already from one Judge in the district court, and some of the High Court Judges were District

Judges themselves. Is it intended to convert the High Court into the courts of the District or Subordinate Judges? The position must be made very clear now.

Sir, I must not be understood to cast any reflection upon the High Court. And I yield to none in my respect for that highest tribunal of the land nor in the desire to maintain its high traditions and good name as the fountain of all justice. But, Sir, time has come when things should not be done in a way which might raise any the least suspicion in the public mind, and there should not prevail any tendency in the High Court for disposal of cases at the cost of justice. The rules now made, therefore, should be changed for the old one of hearing all second appeals by a Bench of two Judges at the final hearing.

I am sure the present Hon'ble Member in charge of the portfolio of Justice will bear me out when I say that there have been Judges who, sitting singly, have heard cases and passed one judgment in one way; when the matter is mentioned and some mistake is pointed out in his judgment, he cancels his judgment, hears the matter again and passes a judgment in an absolutely different manner. It is mentioned again to the Judge who hears it a third time and ultimately passes a judgment, half and half. Next, there have been Judges who have taken two days in hearing a simple case of this type and at times takes a day and a half to pass his judgment. Again, there have been Judges whose judgments could very well have been printed and made to fit in with any case, for in their judgments they only said that they had examined the records and there was nothing for their interference and in that view they dismissed the same with costs.

One little point I would like to mention before I sit down. The Civil Justice Committee noted in their report that both the litigants and their advocates would like to do their cases before particular Judges and would not like to do the same before others and the committee deprecated the idea. But they forgot that an idea like this showed that the public had confidence in one set and none in the other, while everybody knows that whether best or worst, no Judge can make both the contending parties before him win nor lose.

I say, therefore, once again that it is high time that matters should be so adjusted in the highest tribunal of the land that they would enjoy the confidence of the public, to judge whose actions are they placed there by divine dispensation and not merely by chance.

With these words, Sir, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I oppose this motion of Mr. Mukunda Behary Mullick, in spite of the fact that in his last speech he tried to attribute certain things to me, but I will not imitate

his manner nor the cheek and platitude with which he spoke about me last time. I regret very much that my friend Mr. Narendra Kumar Basu, leader of the opposition and of whom I always speak with respect, has sometimes got the tendency of forgetting that there are also 138 members in this House who are as much entitled to attention as he is. I am speaking on the motion. He attributed that I am ignorant of the High Court procedure. Most of us know to our cost how the work is carried on in the High Court. I really deplore that Mr. Mukunda Behary Mullick should have referred to the details of the procedure of the High Court. I feel that when my friend has referred to them he has got certain things before him. Either he should have been frank enough to tell us what they exactly are, or he should certainly refrain from referring to a point which he is not prepared to disclose. Admitting Mr. Narendra Kumar Basu's charge that we are all ignorant of the High Court procedure, we are to take the facts, and if he says that one Judge does pass a judgment which is applicable to all cases, it is very difficult for others who are not so intelligent as they are to pass an opinion on them. Therefore, I think it is very difficult for us to discuss the motion as it is, although I think we could have done so if the system under which the High Court works were questioned. All that I submit is that accepting that in the High Court hundreds of cases are being decided for which no appeal is permissible to be heard by a Judge sitting singly, I am not prepared to say that because a case is heard by a single Judge, therefore the people should lose their confidence in the judiciary. We know, Sir, that under the Bengal Tenancy Act and under the Civil Procedure Code there are certain things against which appeal does not lie. Those cases are heard in their original jurisdiction by a single Judge. Surely, it cannot be contended that because it is heard originally in a jurisdiction from which no appeal lies, therefore no justice is done. Law, Sir, has somehow or other to be taken subject to its limitation. I quite realise that there are cases from which, even though it concerns a matter of Rs. 10, no appeal lies. There are intricate matters of law involved in it, but my friend Mr. Mullick admits that, where there are any intricate points of law to be decided even in a case valued at Rs. 10, relief is always open to every litigant to take it on appeal to a higher court, though under certain conditions.

Mr. NARENDRA KUMAR BASU: But not unless the Judge who tried the case gives a certificate.

Khan Bahadur Maulvi AZIZUL HAQUE: My friend at last admits that relief is open when a certificate is given. But he knows very well that when an appeal is going to be preferred to the Privy Council the High Court has always given that permission. And it has never been

complained that because the Judge has decided in one way against a party that Judge has ever refused permission to appeal. Even admitting for the sake of argument that this is a system which is likely to lead to such a situation in which a party might feel a grievance on a really intricate point of law, it cannot be contended that his remedy is not open to any court and that the Judge who tried his case will stand in the way of his moving a higher court. I must, therefore, say, Sir, that sufficient facts have not been placed before the House to come to a conclusion as regards the system itself. All that my friend had possibly in mind was perhaps an individual complaint which he personally felt within the jurisdiction of the High Court, and he has perhaps ventilated that grievance in this House.

The Hon'ble Sir CHARU CHUNDER GHOSE: I rise to oppose the motion of Mr. Mukunda Behary Mullick, and in doing so I desire to mention that the system of single-Judge sittings had its origin not in 1862, when the High Court was first established; but it had its origin in the spacious days of the *Sudder Dewani Adalat*, and when it came into existence in 1862, it inherited the system from the *Sudder Dewani Adalat*. It is perfectly true that for some years the system of single-Judge sittings was kept in abeyance; but Lord George Hamilton, when he was Secretary of State for India, pointed out that there was no reason whatsoever why single-Judge sittings should not be resumed and why the matter should not be examined afresh. The matter was examined afresh in Sir Francis McLean's time and it was then resolved by a majority of Judges that the system of single-Judge sittings as they used to obtain in the days of the *Sudder Dewani Adalat* should be resumed. Well, in the days of Sir Francis McLean, the system gave great satisfaction. I remember the profession in those days used to insist upon a particular Judge—there is no harm in mentioning his name, now that he is dead—Mr. Justice Rampini being always sent to preside over a single-Judge Bench in the High Court. He had an unrivalled knowledge of the Bengal Tenancy Act and of the land laws of Bengal. I believe I am absolutely correct in saying that in no single instance was a judgment of his upset in Letters Patent Appeals before the High Court. But it is not every day that you come across a Judge of the type of Justice Rampini or of Justice O'Kinnealy; they were giants in those days. The Civilian Judges that I saw in my youth, they were all giants in those days, and whatever may be the judgment passed, people accepted their judgment as if that was the last word on the subject and nothing more was to be gained by carrying the matter on appeal on Letters Patent Appeal. Their successors have tried to follow in the foot-steps of these giants and whether they have succeeded or not, history alone can tell us. But there is no reason whatsoever for condemning the single-Judge sittings because in one or two instances mistakes have been made. If mistakes have been made,

there is always the Letters Patent Appeal open to the litigant and in recent days the Civil Justices Committee have contrasted the procedure obtaining in various High Courts in India and they recommended that single-Judge sittings should be given a further trial. That view was accepted by the Government of India and by the Government of Bengal, and the High Court is now giving the single-Judge procedure a further trial. The matter would be examined afteer a lapse of, say, four or five years, and it will be open to the profession and to the litigant public and to those members of the Council who take an interest in these things to make suitable representations to the Chief Justice, and I have no doubt that if these representations are properly worded they will be duly considered. But as I say, at the present moment I am unable to agree that the single-Judge system has proved a failure. One hon'ble member interjected that two minds were better than one. Well, Sir, as an abstract proposition there may be something in this view, but it is not always that two minds are better than one. One mind which has gone into the matter and probed into the facts with care and attention is often the better mind of the two when two Judges are sitting together, and if there is any grievance felt, there is always the Letters Patent Appeal open to the litigants. It is not a question of additional cost, because the same paper book could be used and every word that has not been said but that could be said, or what could have been attended to but was not attended to by the trying Judge, could always be attended to on a Letters Patent Appeal before three Judges.

I was glad to hear from Mr. Mullick that he considers that the High Court still remains the palladium of justice. These sentiments, Sir, are all to the good and if they are translated into action and practised, then there is no fear for the High Court even in a Council not consisting wholly of lawyer members. But if the hon'ble member has got any reasonable grievances and if he will kindly furnish me with a catalogue of those grievances, I will undertake to see that they are conveyed to the High Court in the proper quarters. I trust that after this explanation, the hon'ble mover will see his way to withdraw his motion.

Mr. Mukunda Behary Mullick's motion was then, by leave of the House, withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,28,000 under the head "24A—High Court" be reduced by Rs. 100 (revised sale of charges for preparation of paper books in second appeals).

Sir, in raising this question before the House, I desire to bring to the attention of the members of the House who do not ordinarily practise in the High Court—I mean the lawyer-members as well as of those

who though not High Court lawyers, yet may have to figure as litigants in the High Court—the system which has recently been introduced with regard to the paper books in second appeals. I might tell the members not connected with the High Court that the words "paper book" connote a copy of the record made for the purpose of the decision of a case in the High Court. So far as what are known as first appeals are concerned, that is to say, appeals to the High Court from the judgment of a Judge of a court below, namely, a District or a Subordinate Judge, in a case valued at over Rs. 5,000, there are printed paper books consisting of pleadings, evidence, oral and documentary, from the court below and all relevant papers. As regards those paper books my motion does not touch them, and I shall not deal with them. But in second appeals, that is to say, where the litigant has had one appeal in a district court in cases below Rs. 5,000 either the appeal has been heard by the District Judge or the Subordinate Judge, in those cases also paper books are prepared for the use of the Judges of the High Court. In olden times, Sir, these paper books used to consist of the translation of the plaint, the translation of the written statement, the judgment of the court of the first instance, the judgment of the appellate court and the grounds of appeal, ordinarily. I am not talking of extraordinary cases where on a requisition of the parties certain documents might also have been translated and included in the paper books. Well, Sir, formerly the paper books in second appeals were prepared in the High Court (translation was made in the High Court office) and litigants had to pay Rs. 7-8 each, appellants, as well as respondents, in order to be furnished with a copy of the paper book. But then a few years ago a splendid system came into existence, that is to say, from the paper books the pleadings were removed, only the two judgments and the memorandum of appeal to the High Court were printed and for this precious paper book the appellant was required to pay Rs. 15 and the respondent Rs. 7-8. I might mention, Sir, that in recent years—I am talking of about 20 or 25 years ago—the invariable system in the High Court has been that when a second appeal is filed it is put up before a Bench of two Judges for hearing under what is known as Order 41 (R. 11) of the Civil Procedure Code, *viz.*, whether the appeal should be admitted or rejected. For the hearing of this appeal under Order 41 (R. 11) an appellant has got to make at least three copies of the judgments of the lower courts and a memorandum of appeal typewritten, or printed if he so likes. He has got to furnish a copy for the second Judge, one copy to his Advocate and perhaps another copy for the Junior Advocate, if there is more than one. Well, Sir, what the profession and the litigant public want to know is that if the High Court can do with these typewritten copies at the time when the appeal is heard, why cannot extra copies be made for the final hearing? Therefore, the profession and the litigant public made a representation to that effect and what was the result? They asked for bread,

but they got stone. The new system, which has come into operation from the 13th November last, says that in the case of second appeals exceeding Rs. 50 in value, that is to say, Rs. 50 to Rs. 5,000, the court has decided to dispense with printed paper books, but the litigant will have to pay Rs. 10. For what? He will have to get four copies typed in the offices of the court, two to be used by the court and two to be given to the parties to be used both on first appeal and final appeal. As I have said, it is common knowledge that there are many cases. I believe the percentage is more than 60, which are rejected at the first hearing, so that there is no final hearing at all. Then again, in order to enable the litigants to file appeals, typewritten copies of the judgment, for the use of their own lawyers, must be made at the time of filing the appeal. I do not think that it is possible for any man to file an appeal without having a copy of the judgment of the lower court. If at least, one copy must be prepared by the litigant, it is easy for him to make four copies; at the same time, if the court asked for four copies to be supplied, or two copies—one for the Court and one for the office—for the preliminary hearing, that could be done very cheaply also. What is the reason for asking that this Rs. 10 for the typewritten copies should be paid by the litigant for the purpose of having typewritten copies made. I submit that this is nothing more or less than taxation under another name. I might remind you that statistics would show that the number of appeals of the value of Rs. 100 is by far the larger, and the amount of court-fees for the memorandum of appeal would not exceed Rs. 8-4; but all the same he has got to pay Rs. 10 in order to have the doubtful privilege of having two typewritten copies made out for the court and the office. Why such a rule has at all been brought into existence is rather difficult to say. One reason may be that the Paper Book Department, with regard to first appeals created after the notorious Edgley Circular of 1921, has got to be maintained. This is a department which has been in existence for some time and which would not exist unless more money were taken from people who are not connected with first appeals at all. I submit that for the highest court of justice in the land to resort to this means of keeping alive a department, whose existence is of doubtful propriety, is not at all fair, and this extra taxation upon the litigant public is unwarranted. The Bar Association, of which I have the honour to be the President, made a representation to the High Court before this rule was issued and pointed out that this rule could not be justified either on principle or on grounds of expediency; but the High Court chose to publish these rules and to bring them into operation without paying any heed to the remonstrances of the litigant public or of the Bar Association. I hope that this Council will be well advised to, unanimously, show its indignation as regards this question by accepting my motion.

Mr. MUKUNDA BEHARY MULLICK: Mr. President, Sir, with your permission I beg leave to move motions Nos. 314 and 318, which stand in my name, together.

Mr. PRESIDENT: Yes, you can do so.

Mr. MUKUNDA BEHARY MULLICK: Sir, I beg to move that the demand of Rs. 1,28,000 under the head "24A—High Court" be reduced by Rs. 100.

I also beg to move that the demand of Rs. 1,28,000 under the head "24A—High Court" be reduced by Re. 1.

Sir, the subject of this motion of mine has reference to the costs for the paper book realised for second appeals up to the value of Rs. 500 from the litigants. It may be clear to the House what is meant by a paper book, as has just been explained by my friend Mr. N. K. Basu. It is a printed or typed book used in the High Court only at the time of final hearing of appeals. I shall not say anything regarding the first or miscellaneous appeals. That is not the subject of my discussion now. I shall confine my remarks only to the second appeals. Now Sir, all second appeals are heard under Order 41 (R. 11), Civil Procedure Code, by a Bench of two Judges. The rules hitherto have been that at the time of hearing the papers are to be supplied by the appellant for the use of the court consisting of two Judges. The copy for the Senior Judge is the certified copy of the judgments obtained from the lower courts while that of the other Judge consists of the same papers, but there are typewritten according to the rules. Both these copies are retained in the office and form part of the court record. Now, Sir, at this preliminary hearing many appeals are also summarily dismissed, giving a finality to them at once. And when the papers supplied by the appellants are found sufficient and proper at that time, there is no reason to think that these copies will not be so found at the final hearing by one or two Judges. In this case also neither the appellant nor the respondent is to make any deposit in appeals whose values do not exceed Rs. 50, and which are heard by one Judge. When the rules have empowered a single Judge to hear appeals up to the value of Rs. 500 whatever might be said of the appeals above that value, there is no reason why the typewritten papers will not be found sufficient in those appeals that are heard by one Judge only. In appeals up to Rs. 50 these copies of the court are supplied by the office at the final hearing and the same methods can be adopted in other appeals as well. But, Sir, this cannot be. You will be startled to hear the amount of money realised under this head from the litigants—both the

appellants and the respondents. It may be assumed that this sum is realised from the parties to cover the cost of printing, etc., of these paper books.

The rules originally were that both the appellant and the respondent were required to pay Rs. 7-8 and if there was any extra cost it had to be borne by the appellant, but in those days the paper books contain the pleadings, the plaint and the statement besides the judgments of the two lower courts and the memorandum of appeals. There are cases which it is difficult to follow without the pleadings; but these rules were changed and the pleadings are no more inserted in the paper book. The papers now inserted in the paper book are the same as are supplied in type by the appellant at the first hearing. The rules of the court further say that in case any of the parties want to use any document, including the pleadings, the same have to be translated if they are not in English and then type-copied and supplied to the Bench for its use. They do not generally use the original records. The cost to be paid by the appellant was Rs. 15 in lump, regardless of the volume of the paper book in all second appeals exceeding Rs. 50 in value with an addition of Rs. 2 for each analogous appeal if there be more than one, though the papers are the same, and though beyond printing the number of the appeal on the cover of the paper book nothing more is to be done at all. The respondent up till recently was not required to pay anything, but if he required a copy of the printed paper book, he would have to purchase the same on payment of annas 6 per page, subject to a maximum of Rs. 7-8. The rules underwent a further change, and these new rules, while maintaining the position of the appellant, said that the respondent had to make a deposit of Rs. 7-8 just when he entered appearance and with a further sum of Rs. 2 for each analogous appeal. These rules are interpreted in a still more startling way. For, if there is more than one respondent in one appeal and if for some reason or other all the respondents cannot appear all at once, for every subsequent appearance by other respondents in the first instance there is the payment of Rs. 2 as court-fee for the *Vakalatnama* for putting in appearance and then a sum of Rs. 7-8 for the paper book. You will pardon me, Sir, when I say that this cannot be characterised as anything else than a mere judicial extortion. What right have you, I ask in the name of that justice or law which you profess to administer, to take this money from the litigants who have paid you enough in the shape of court-fees in three courts for that justice which they feel they have a right to ask for? Should the High Court be made subservient to the Executive and the former be made an instrument for the realisation of the money in the name of administration of justice to fill the coffers of the State? Calculate for a moment the total amount that comes up to in this way in over 2,500 appeals, and the papers in most cases are not voluminous. I maintain that in view of the papers which had hitherto been supplied by the appellant at the first hearing there

was no necessity for the printed paper book as it did not contain any additional paper. And whatever may be said of appeals over Rs. 500 which are heard by two Judges at the final hearing, there is no justification to have printed paper books in appeals of lesser value as there is no such thing in appeals of the value up to Rs. 50 for all these are heard by one Judge and disposed of by him. I say, therefore, that this is absolutely unnecessary and the same should be immediately done away with.

With regard to motion No. 318, my simple ground is this: As there is no necessity for any paper book being deposited by either of the parties in second appeals below Rs. 50 in value which are heard by Judges sitting singly, there ought not to be any necessity for any cost being deposited by parties in appeals of the values between Rs. 15 and Rs. 500 as these are also heard by Judges sitting singly. The litigant public may very well be saved this unnecessary burden.

With these few words, Sir, I beg to commend my motion, to the acceptance of the House.

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 1,28,000 under the head "24A—Administration of justice—High Court" be reduced by Rs. 100.

Mr. PRESIDENT: I hope you will not be very long, Haji Sahib. The guillotine falls at 12-34 and you should be able to give the Hon'ble Member an opportunity to reply.

He made a speech in Bengali in support of his motion of which the following is a translation:—

Sir, I propose a cut of Rs. 100 out of the demand of Rs. 1,28,000 in regard to the High Court, with the object of raising a discussion as to the costs of printing.

I whole-heartedly support the speeches made on this subject by my friends, Messrs. Narendra Kumar Basu and Mukunda Behary Mullick, who spoke from firsthand knowledge. The amendment of the Court-fees Act by the Government has already thrown great difficulties in the way of poor litigants seeking for final disposal of their cases in the High Court. The provision for increasing the cost of printing will make it still more difficult, if not altogether impossible for them to come up to the High Court. It is indeed a matter of great surprise that although paper books are not required unless appeals are allowed, yet the costs of printing must be paid. I am given to understand that this fresh taxation has been designed with a view to provide for a certain number of officers on the High Court staff. To charge printing costs without printing anything strikes as something like "robbery in broad daylight". I am also in complete agreement with the motion on the system of trial obtaining in the High Court brought by my friend

Mr. Mukunda Behary Mullick. Those Hon'ble Judges of the High Court who sit singly to hear civil cases are mostly recruited from among the District and Sessions Judges unacquainted with the mode of High Court trials and the High Court rules. A further tragedy is this, that no appeals would lie at present against the finding of these Judges.

My time-limit being over, I stop here under the request of the Hon'ble President.

The Hon'ble Sir CHARU CHUNDER GHOSE: I beg to oppose all these motions and my reasons are as follows:—

This question of paper books was never raised at any time before 1920. What happened in 1920 was that the Privy Council sent a more or less peremptory letter to the various High Courts in India pointing out that the paper books were badly prepared and most incorrectly printed and sometimes they were lacking in important deficiencies, such as absence of material documents and so on and so forth. When this letter reached the Calcutta High Court, the late Sir Asutosh Mookerjee was then officiating as Chief Justice and he appointed a very strong committee to go into the whole question of the preparation of the paper books and they then decided that rather than the preparation of these paper books being undertaken by the *vakils* as they were called, the office should take upon themselves the preparation of these paper books. Well, it was then contemplated that all the various paper books, the paper books in appeals of the value of Rs. 10,000 and upwards and in the case of second appeals of the value of anything over Rs. 50 to Rs. 5,000, and miscellaneous appeals, and in fact, all manner of appeals, should be prepared in the office of the High Court. That gave rise to a lot of dissatisfaction on the part of many of the *vakils* who were in the habit of preparing these appeals. The matter was again examined by a committee in the late Sir Lancelot Sanderson's time, a committee on which the hon'ble member who has raised this question was himself on. That committee recommended certain revision of the rules and those rules were adopted by the High Court——

Mr. NARENDRA KUMAR BASU: Only in first appeals.

The Hon'ble Sir CHARU CHUNDER GHOSE: Yes, first appeals and also, I believe, second.

Mr. NARENDRA KUMAR BASU: No, that was expressly out of the purview of that committee.

The Hon'ble Sir CHARU CHUNDER GHOSE: At any rate, later on also certain revision was made in the rules relating to the preparation of second appeals. That system went on until the Government of

India raised the question of the Paper Book Department being a self-supporting department, that is to say, it ought not to be dragged on the tax-payer. From time to time since 1923, the question of the preparation of paper books and the maintenance of the Paper Book Department at the minimum cost has been under examination, and it is only quite recently that the bed-rock limits were reached, and the Government of India were apprised that until the bed-rock limit of a few thousand rupees was accepted, it would be impossible to have a Paper Book Department and it would be impossible to give effect to the recommendations of Their Lordships of the Judicial Committee of the Privy Council. Sir, however that may be, the present discussion has nothing to do with the first appeals. The complaint is, with regard to second appeals, and an attempt is being made to charge Rs. 10-8 from the appellant as soon as the appeals are filed. Well, Sir, it is an axiomatic truth that a litigant must furnish the court which hears the case with a proper, complete and correct record of the matter involved in his litigation. For that purpose it is necessary that the two Judges must have correct copies of the transcript and the litigant's legal advisers must have the same copies; otherwise there will be difficulty in following. If one reads from page 1 and the other other from page 5, no progress will be made in the disposal of the case. They must have the same copies, the same paging and the same matter correctly described by the litigant's advisers. All, I say, must have the same set of paper books, and it is only reasonable that the respondent who has got to answer the appellant's case must have the same paper book. The only change that has recently been made is that before they are heard, under rule 11, at the time of filing the appeals, the appellants must help the office in the preparation of paper books, and it is necessary for the appellant's advocate to prepare the paper book himself. Very often the paper books prepared by the appellant's advisers were found to be defective (Question.) and it is to remedy this state of things another Committee of the Judges went into the matter and suggested that these new rules might be given a trial. These rules are admittedly not permanent, and these rules have been published in order that they may be given a trial and if any real defects are experienced, I have no doubt that the Bar Association, as Mr. Basu explained, the President will take up the matter and will bring to the notice of the Judges all their grievances. I have no doubt that if the grievances are set out in a proper manner and brought to the notice of the Judges in a proper manner, the High Court in its present constitution will give all the attention that the Bar Association may desire to make. I think there is no reason to think that these rules should not be given a proper trial by the Judges and by the co-operating litigant public. I have no doubt also that any defects that may be brought to the notice of the High Court will be rectified. With this explanation, I trust the hon'ble member will be satisfied.

Mr. Narendra Kumar Basu's motion being put, a division was taken with the following result:—

AYES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Barman, Babu Promhari.
Basu, Mr. Narendra Kumar.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Asdul Ghani.
Chowdhury, Haji Sadi Ahmed.
Chowdhury, Maulvi Rural Absar.
Das, Rai Bahadur Satyendra Kumar.
Ezaufji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Mohammad.
Guha, Babu Profulla Kumar.
Hoque, Kazi Emdadul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Maiti, Mr. R.
Mitra, Babu Sarat Chandra.
Momin, Khan Bahadur Mohammad Abdul.
Mookerjee, Mr. Syamaprosad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Rahman, Mr. A. F.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Rees, Mr. J. S.
Rout, Babu Hemai.
Roy, Mr. Sarat Kumar.
Roy Chowdhuri, Babu Hem Chandra.
Sen, Rai Bahadur Jogesh Chandra.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bazir Uddin, Khan Sahib Maulvi Mahammed.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Dr. Jagendra Chandra.
Cohen, Mr. D. J.
Carry, Mr. T. A.
Das, Rai Bahadur Kamini Kumar.
Dutt, Mr. S. C.
Edgley, Mr. H. S. A.
Faroqui, the Hon'ble Nawab K. B. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ferguson, Mr. R. N.
Ghose, the Hon'ble Sir Charu Chunder.
Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, at Dildaar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Guha, Mr. P. N.
Hogg, Mr. G. P.
Hossain, Nawab Musharruf, Khan Bahadur.
Khan, Mr. Razaur Rahman.
Maguire, Mr. L. T.
Martin, Mr. C. H.
Mitter, Mr. S. C.
Nag, Reverend S. A.
Nag, Babu Suk Lal.
Nazimeddin, the Hon'ble Mr. Khwaja.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Ander-.
Ray Chowdhury, Mr. K. C.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. S. R.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deS.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 36 and "Noes" 43, the motion was lost.

Mr. Mukunda Behary Mullick's motion (No. 318) was then put and lost.

Babu AMULYADHAN RAY: I beg to move that the demand of Rs. 1,28,000 under the head "24A—High Court" be reduced by Rs. 100 (present system of appointment of Subordinate Judicial Officers).

Sir, there is not much time at my disposal. Therefore, I shall read out first section 96B (2) of the Government of India Act. It says that

the Secretary of State in Council may make rules for regulating the classification of the civil services in India, the methods of their recruitment, their conditions of services, pay and allowances, and discipline and conduct. And we are told that the Secretary of State made rules to the effect that recruitment in the provincial services should be made on the result of the examination by a permanent selection committee or purely by nomination. If it is done purely by nomination, then it should be done with the consent of the Governor-General. The Civil Court Act, however, says otherwise. Under that Act the High Court nominates and the Government of Bengal makes the appointment. Why the Civil Court Act has not been amended? Our grievance is that we cannot approach the authorities in the High Court. We can approach the authorities in Writers' Buildings. The claims of our candidates are totally ignored by the High Court. Therefore, when we are going to have provincial autonomy, I think the next Government ought to have control over men who will be their servants. The Civil Court Act should be amended and the power of appointing *munsifs* should be taken away from the High Court.

(The time fixed for the discussion of the demand having been reached, the guillotine was applied.)

Babu Amulyadhan Ray's motion was then put and lost.

The main demand under head "24 Administration of Justice" was then put and agreed to.

DEMAND FOR GRANT.

25—Jails and convict settlements.

The Hon'ble Mr. R. N. REID: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 43,08,000 be granted for expenditure under the head "25—Jails and convict settlements."

I do not propose to take up the time of the House in speaking at length on this demand except to mention what is apparent to anyone who has studied the budget figures and that is, that the sum for which I move the demand to-day represents a decrease of a sum of Rs. 5 lakhs as compared with the budget estimates of 1933-34 and a sum of Rs. 2 lakhs as compared with the revised estimates of the same year. The reason for this is as follows: The main saving as shown in the revised estimates is due partly to the fact that the requirements under the heads "Clothing and bedding of prisoners," "Dietary charges"

and "Pay of establishment" were overestimated and also it was partly due to the fall in prices of foodstuffs and other such things. The explanation is that when the estimate was framed, it was decided that it was necessary to make provision for a larger jail population than in fact actually occupied the jails during the year. It is extremely difficult to make an accurate estimate of this sort of thing, especially in the abnormal time in which unfortunately we are living. That is the explanation of the overestimate. It is fortunate that extra expenditure has not been necessary and a saving accrued on this account. I do not think there is anything else to which I should draw the attention of the House, and the House will have ample time to deal with all aspects of the jail administration in the course of discussions on the cut motions.

MOTION FOR REDUCTION OR REFUSAL.

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 56,000 under the head "25A - Jails Superintendence" be reduced by Rs. 100.

I move this motion with a view to raise a discussion on the condition of the detenus and political prisoners in jail. I move it with a view to record my emphatic protest at the treatment accorded to these detenus and political prisoners. The House is aware that on the authority of a law passed by this House, the Government of Bengal have detained about 2,000 persons without trial. These unfortunate men are known as detenus. Some of these persons have been placed in village domicile, others have been kept in the jails of Bengal and still others have been kept in jails outside the province. Detention without trial is in itself a very objectionable thing, but detention of persons in jails outside the province and in far away places is worse. Sir, when we passed that measure in this Council we had no idea that the persons arrested under that Act would be spirited away at the sweet will of the Government and lodged in jails far away from their own hearth and home and far away from the people of this province. The policy underlying this detention of persons in jails outside the province must be challenged. Hitherto, Government have submitted no explanation for their conduct. Their attitude has been that in public interest they want to remove these persons from Bengal. What that public interest is is not known to the public. Some of these persons have been detained at Deoli. We from here can exercise no control over the persons there. They are more or less under the charge of the local authorities there, but are maintained by the Government of Bengal. While the Government of Bengal have undertaken to pay the expenses, they exercise very little supervision. It is a condition of things that must be very awkward.

When any grievance is raised before the Government of India in connection with these detenus at Deoli, there is always the attempt to shirk the responsibility and to throw it on the head of the Government of Bengal. If a person asks for an interview, there is no authority there to sanction that interview; he is referred to the authorities in Bengal. When an application is made to the Government of Bengal, their attitude in the matter is also inexplicable. There is no provision to examine the condition of the persons detained there by non-official visitors from Bengal. If the Government of Bengal pay for the maintenance, it is fair that they should exercise control over the persons there. It is desirable that the Government of Bengal should appoint from Bengal non-official visitors who may examine the state of affairs prevailing there. In that way the Government of Bengal can to a certain extent pacify public opinion in this province. In the absence of non-official visitors from Bengal all sorts of rumours find currency in the province, perhaps some exaggerated, but all the same the effect is that a great amount of discontent is prevailing in the country. I would suggest that if the Government of Bengal could appoint certain persons as non-official visitors—persons of Bengal who are in the confidence of the people—and if a report is made by these persons to the effect that the situation is not so black as it is sometimes believed to be, it may do some good at least. But in the absence of any such assurance Deoli has come to be looked upon as a place where the persons detained are exposed to great hardship and even torture. Even, Sir, the accusation is that the deaths that occurred there are not natural deaths but due to oppression and also due to negligence on the part of the authorities there. Sir, I may draw the attention of the House to the fact that no one seems to accept responsibility for the state of things there. Sometimes the authorities of the camp there are held responsible, and sometimes the hospital authorities where these persons are sent for treatment; but it is always difficult to fix responsibility for the occurrence of such incidents. I do not blame the local authorities there, because these persons have been placed in their hands, perhaps against their will, and naturally there is some reluctance to accept responsibility for these unwelcome visitors. Now, why should the situation be allowed to drift in this way? Why cannot the Government of Bengal accept full responsibility in the matter and take full charge of the persons detained? This sort of dual control gives rise to great trouble. Now, Sir, when a person falls ill there, there is always delay in sending information to his relatives. I say there ought to be an arrangement by which the relatives of any person who fall seriously ill should be informed of it at the earliest possible opportunity. Sir, I would press on the Government the desirability of abolishing these jails for detenus outside Bengal. But if this is not at all possible, I would suggest that the control exercised over the condition of things by the Government of Bengal should be

more effective, and they should take into confidence the people of this province who enjoy the confidence of the public by appointing them as non-official visitors.

Sir, next I will come to the condition of detenus lodged in Bengal jails. Sir, here too also there is a lot of hardship. A detenu lodged in one of the detention camps, apart from the detenus lodged in jails, fares very badly. Sir, we hear of all sorts of trouble in these camps and jails. But I shall leave the camps alone because perhaps they do not come under this head: I shall refer to the detenus lodged in jails. When you detain persons, why do you keep them in jails? When there is camp for the detenus, why place them in jails? In jails they are naturally a discordant factor, because while they have to be treated in one way the ordinary prisoners are treated in another way. A jail is a jail and different standards of treatment in the same jail naturally arouses a certain amount of dissatisfaction. A jail ought to be a jail and those who are lodged in jails ought to be treated, if they belong to the same class, in the same way. A political prisoner who has been convicted and lodged in a jail finds that he is treated in a different way and the ordinary prisoners also feel the same. I will not call them offenders, but there is a tendency on the part of Government, in spite of their inability to secure a conviction, to treat them as offenders and lodge them in jails and treat them in a different manner, and naturally the convicts feel a certain amount of discontent if they find that they are treated in a different way. Although, Sir, I do not say that this grievance on the part of the ordinary convicts is reasonable, but, human nature being what it is, they do feel this grievance, and I feel that if the Government abolish this policy of detaining the detenus in jail, they can undo some of the mischief.

Now I will come to the treatment accorded to the political prisoners in jail. I know, Sir, that Government, under the Jail Code, do not officially recognise anything as "political prisoner," but still there are some persons who are known as political prisoners and there is no denying the fact. In recent times there has been considerable trouble in connection with these political prisoners. Of course, political prisoners in connection with the civil disobedience movement are very few, but political prisoners convicted of terrorist offences form the bulk of the prisoners who are known as political prisoners. Here, too, treatment accorded to the civil disobedience prisoners during the last few months has come in for a lot of criticism. Respectable persons who enjoy the confidence of the people and have influence with the public were very badly treated in some of the jails in Bengal for most trivial offences; for their refusal to humiliate themselves by observing the absurd system of "*Sarkar Salam*," some of these prisoners were punished. Of course, under the pressure of public opinion, the Government of Bengal has at last come down and removed the grievance. But I ask,

Sir, why should the Government of Bengal expose itself to such criticism by allowing their subordinates to take action which may not find favour with the public or which may be considered as objectionable? Sir, I hope the lesson that the Government of Bengal has received will be sufficient, and they will now adopt rules in connection with the treatment of political prisoners which will not give rise to trouble in future.

Then, Sir, I may draw the attention of the House to the political prisoners who have been convicted of terrorist offences. Sir, I may refer to the latest trouble in the Alipore Central Jail. In that jail a large number of these prisoners went on hunger strike for certain grievances from which they could not get redress.

Mr. PRESIDENT: Are you referring to political prisoners?

Mr. SHANTI SHEKHARESWAR RAY: Yes, Sir.

The Hon'ble Mr. R. N. REID: He is referring, Sir, to political prisoners convicted of terrorist offence. I do not think that it can come under this.

Mr. PRESIDENT: As far as I understand the hunger strike probably had nothing to do with political prisoners in the sense in which it has been used in the motion now before the House.

Mr. SHANTI SHEKHARESWAR RAY: I may point out, Sir, that when I raised this question in this House, the answer given to me by Sir Charu Chunder Ghose was on the basis that they were political prisoners. I know that under the Jail Code Government do not recognise political prisoners as such, but when I put a question a few days ago, Government accepted them as political prisoners.

The Hon'ble Mr. R. N. REID: Government has never accepted that position, Sir.

Dr. NARESH CHANDRA SEN GUPTA: Is it not a fact that some of the civil disobedience prisoners were also on hunger strike?

The Hon'ble Mr. R. N. REID: That may be possible; but I stick to the point that they were not political prisoners.

Mr. SHANTI SHEKHARESWAR RAY: I do not know what position the present Hon'ble Member in charge of Jails is now going to take, but the position taken up by his immediate predecessor, Sir Charu Chunder Ghose, was quite different. When I put a short-notice question to Sir C. C. Ghose I mentioned political prisoners in that question, and his reply to that question was on the basis of political prisoners. I do not know how Mr. Reid can resile from that position honestly.

Mr. PRESIDENT: But I would like to know the actual facts? I put it to you to say if you are really of the opinion that you are referring to political prisoners. If you are not, please do not labour the point

Mr. SHANTI SHEKHARESWAR RAY: My point about the matter is that as I have been able to bring Government to the position that they accepted such prisoners as political prisoners I am entitled to——

The Hon'ble Mr. R. N. REID: Sir, I have got a copy of the reply which the Hon'ble Sir Charu Chunder Ghose gave on the floor of this House, and I can find no use of the words "political prisoners" in his reply anywhere.

Mr. SHANTI SHEKHARESWAR RAY: But does he not find the words in the question put by me?

Mr. PRESIDENT: I think you had better accept the statement of the Hon'ble Mr. Reid.

Mr. SHANTI SHEKHARESWAR RAY: I accept that statement if Government in the meantime have resiled from their position.

Mr. PRESIDENT: Even from my position of neutrality, I could make out that you were not referring to political prisoners.

Mr. SHANTI SHEKHARESWAR RAY: However, Sir, if that is your ruling——

Mr. PRESIDENT: Order, order. You cannot reasonably make a grievance of it—you have moved a motion in which you expressed a desire to deal with political prisoners and detenus only, but in fact you were referring to a class of prisoners who do not come under that category.

Mr. SHANTI SHEKHAREWAR RAY: Sir, it is very difficult for me to make any distinction because I do not know whether all the political prisoners went on hunger strike or not, but my information is that there were some civil disobedience prisoners who did go on hunger stirke.

Mr. PRESIDENT: I have no objection to your referring to them.

Mr. SHANTI SHEKHARESWAR RAY: My point is that these prisoners of the *bhadralok* class ought to be given special treatment. Sir, the trouble begins when the Government do not follow a consistent policy. My charge against the Government of Bengal is that during the last few years they have been changing their attitude from one to another. At first these civil disobedience prisoners are treated according to one standard. Later on, they changed the standard and all the present difficulty is of their own creation. I would ask the Government of Bengal to take a reasonable view of the thing. I understand that the attitude of the Government of Bengal is not to create unnecessary trouble in the jails. If I correctly interpreted the attitude of the Government of Bengal, my humble suggestion is that they should always treat these men kindly and not raise unnecessary trouble. They should not be fond of inflicting pinpricks to these prisoners. After they have got them inside the jail, they ought to be generous. All these political prisoners will have to be released sooner or later, and let not their feelings be wounded, and by this you will earn their gratitude towards Government. In that way you will be able to do the great task of reconciliation. You should not be inspired with the idea that it is your duty to crush these people because they had the courage to stand against the Government or because they had the courage t organise opposition. Sir, I would ask the Government to adopt a policy of sympathy only, and I do not ask the Government to accept something very terrible. That has been the policy adopted by all civilised Governments, and I only ask the Government of Bengal to follow the footsteps of all civilised Governments. Sir, you may treat a man like Pandit Jawaharlal Nehru with contempt, impose restriction after restriction on him; but what I ask is, you must try

to gain him to your side by showing that Government is not guilty. For all these considerations I ask the Government of Bengal to adopt a more reasonable attitude in the matter of treatment towards political prisoners and detenus in jails.

Dr. AMULYA RATAN GHOSE: Mr. President, Sir, I beg to move that the demand of Rs. 50,000 under the head "25A—Jails—Superintendence" be reduced by Re. 1.

I also beg to move that the demand of Rs. 3,60,000 under the head "25A—Jails—Subsidiary Jails" be reduced by Re. 1.

Sir, in moving my first motion I beg to draw the attention of the House, through you, to the condition in the Dum Dum jails in view of the existence of the wire-netting which is provided for the interviewers of the families of the detenus and other respectable persons. Sir, many members, who have not seen the wire-netting and have not gone there to see what sort of wire-netting is provided and how the interviewers are permitted to see their friends or relatives through the wire-netting, cannot make out their grievances regarding the wire-netting affair. Several times in this Council questions about this wire-netting and their difficulties were described by different members of this House, and the answers that the Government gave were not very encouraging and convincing. The idea that is given to this House is that between the prisoner and the interviewer there is a small wire-netting wall through which interviews take place. But, Sir, that is not the real fact. The real fact is that the prisoner stands within an enclosure made of wire-netting and about 8 to 12 feet, apart from that there is another enclosure made of wire-netting and in this enclosure the interviewer is allowed to stand. The latter is thus temporarily for the first time made a prisoner inside that enclosure and through that enclosure he will have to speak to the prisoners. This is the case also with the prisoners who happen to be inside that enclosure. Ladies and gentlemen and the relatives of the prisoners have to interview with this disadvantage. From this distance of 8 or 12 feet and from inside an enclosure of wire-netting those ladies who got to interview their husbands are subjected to this sort of humiliation. This is really a grievance about the wire-netting system in the jails. The grievance was brought to the notice of the Government several times, but no heed is paid to it. Sir, I again implore the Government to consider this matter and see whether they can alter this humiliating condition. So far the Government have supported this system under the pretext that the interviewers do not behave properly or do not regularly observe the jail rules and regulations and, therefore, they are obliged to put this wire-netting. This is not a wire-netting as it is

ordinarily understood. If that has been the case, I think the grievance would be much lesser and also the reason that the interviewers do not observe the jail rules while interviewing can be easily removed if simply there is a wire-netting between the prisoner and the interviewer. If that has been the case, I think there will be very little to grumble about this matter, but it is really a very sad thing that even the ladies who go to interview their husbands are also subjected to this sort of humiliation. They will have to speak to their husbands from a distance of 8 to 12 feet and that also through a wire-netting. This is the sort of grievance which really aggravates disaffection towards Government. It is not a good thing to have this grievance in the interests of the public as well as the prisoners. Sir, with these words I commend my first motion to the acceptance of the House and also for the mature consideration of the Hon'ble Member in charge of the jails. I do not know, Sir, whether the Hon'ble Mr. Reid is at present in charge of this portfolio. (VOICES: "Yes, yes, he is the Member in charge now.") I hope that he will go personally and see the disadvantages of the interviewers and also of the prisoners in this respect, and he will not merely depend upon the reports that are sent to him. I hope that if he inspects these places the defects will be remedied. I am certain that if he looks into these grievances, he will be the first man to remove them.

While moving my motion No. 376, I beg to draw the attention of this House to some of my questions which I had tabled this session and unfortunately the answers that were vouchsafed were very disappointing. The condition of the Hijli Jail and the ill-treatment accorded there have become so well known to the people of Bengal that the name of Hijli is regarded as a veritable hell. Sir, the ill-treatment accorded is so much oppressive and provocative to the inmates of that jail that there was a tragic incident of shooting down several of the inmates there. These tragic instances and the reports in connection with them even the Government inquiries—supported that prisoners there were ill-treated and owing to the ill-treatment of the officers and the staff of that jail the prisoners went so far as to disobey their orders which ended in retaliation, resulting in the killing of several lives.

The Hon'ble Mr. R. N. REID: On a point of order, Sir. The hon'ble member is referring to the Hijli Detention Camp. We are dealing with jails. Hijli is not a jail.

Dr. AMULYA RATAN GHOSE: There is not much difference.

Mr. SHANTI SHEKHARESWAR RAY: Has not any part of the camp been taken for a jail?

The Hon'ble Mr. R. N. REID: In connection with the detention camp a certain portion, 40 feet × 80 feet, has been declared a jail. This portion is occupied by convicts, but the Hijli Detention Camp is not a jail. But he is referring to an incident which occurred in camp and not in a jail.

Dr. AMULYA RATAN GHOSE: However, it was the ill-treatment and that resulted in the firing——

Mr. PRESIDENT: Will you kindly refer to the prisoners in the Hijli Jail and not in camp? You have to confine yourself within due limits of your motion.

Dr. AMULYA RATAN GHOSE: That is not my fault. The difference is so fine and the demarcation also becomes very fine——

Mr. PRESIDENT: But the line of demarcation is there.

Dr. AMULYA RATAN GHOSE: I bow to your ruling. The Hon'ble Member has taken shelter under the subtle line of demarcation, but even admitting that, even in the Hijli Jail the order of things is not much better than what occurs in the detention camp. In the Hijli Jail some time ago, I referred to a lady prisoner, I mean Mrs. Bimala Prativa Devi, who is detained there and is detained there without any trial; her guilt was not proved in any court of law. She comes of a highly respectable family of Calcutta and she is suffering from all kinds of diseases—diseases which require special treatment——

The Hon'ble Mr. R. N. REID: On a point of order, Sir. I am afraid I must interrupt again; the lady to whom the member refers is a détenu and therefore she cannot be in Hijli Jail. She must be in that part of the Hijli Detention Camp which is allotted to female detenus.

Dr. AMULYA RATAN GHOSE: Again I am restricted to speak on this matter.

Mr. PRESIDENT: But you ought to make sure of your ground. You ought to know whether she was in jail or in camp. I think you should accept the statement of the Hon'ble Member.

Dr. AMULYA RATAN GHOSE: I shall have to accept it.

Mr. PRESIDENT: Since you have no personal knowledge.

Dr. AMULYA RATAN GHOSE: Yes. The ill-treatment in the Hijli Jail, even in the detention camp.....they are known by so many different nomenclatures and there are so many different kinds of jails, camps and jails and camps for lady detenus, we are not aware of the fact, and we thought they were all known as the Hijli Jail; they all come in as sub-departments under the same head. However, Sir, talking strictly about the Hijli Jail, I wish to draw the attention of this House to the fact that the prisoners were subjected to inhuman treatment at the hands of the convict warders and prisoners there are subjected to various kinds of oppressions, and these oppressions are done at the instance of the jailer there. I put some questions in regard to this some time ago in this Council, but it was answered in the usual whitewashing way that these allegations and complaints receive from the Government. This is well known to everybody in this country. Sir, some time ago, in Hijli Jail, after a prisoner had served his full term of imprisonment (I have forgotten his name, but I put a question in this Council about it and it was answered in the usual way), he went a few paces from the jail, but was dragged back inside again, was given a good beating, and was detained for another month, at the end of which he was sent to the court and made to stand a trial, but he was again acquitted. These are the kinds of oppression, and this is the kind of treatment that is meted out to the prisoners and even those prisoners who are released are dragged back and treated in this way. What I want to say to the Hon'ble Member is that much of the terrorist movement or the political excitement that is caused in this country can be ameliorated to a considerable extent if the authorities and the police treat these prisoners as hon'ble guests. Sir, it is in these jails that the character and mentality of the prisoners will be changed, but if these prisoners are badly treated and treated like cats and dogs, then what sort of affection they will have towards the police can be better imagined than described. The prisoners are so badly treated that the Government have not the courage to appoint non-official visitors, non-official M. L. C. visitors, to the Hijli Jail, as they have done in other jails elsewhere, in every district in Bengal. It is a wonder why Hijli is made an exception. This is not very difficult to understand, as the

Government know their defects, and they do not allow others to come in and see the ill-treatment that they deliberately practice on these prisoners there. Sir, the Government always say that the members of the Council, who disapprove of the Government policy, do not make any constructive suggestions how terrorism or the civil disobedience movement can be killed. They will never take our advice; if they take it, then I think I can say with all the emphasis at my command that much of this terrorism will be stopped and checked as also the civil disobedience movement. If these prisoners were well treated in the jails and given nice diet and other things, they will come out of jail and say they were treated as well as if they were in their father-in-law's house. Sir, their affection will be engendered and not otherwise. Let them think of Government as their parents. But, Sir, instead of that, Government treats them so badly that they come out worse criminals and worse enemies of Government. You might crush them physically, but their spirit must be revolting against this oppressive system of Government. I, therefore, suggest that if you really mean business, if you sincerely want to stamp out terrorism and anarchism in this country, you should treat them with love and affection just as Lord Jesus Christ said that if you are slapped on one cheek let the other cheek be slapped also. Sir, it is the land of Chaitanya who was struck on his head by some hooligans, but still he said while bleeding from his head that although you have struck me with a hard substance, yet I shall embrace you. This is the land where people have learnt more to bow down to love and affection than oppression. That is what I am going to prove. Mahatma Gandhi gains his followers all over India not by oppression, but by love and affection. If the same policy of the missionaries of India are adopted by Government, I can very strongly say that the evil of terrorism will go away and will vanish very soon.

Mr. P. BANERJI: I rise to support the motion moved by my friend Mr. Shanti Shekhareswar Ray and, in doing so, I must first of all inquire of the Hon'ble Member what is the line of demarcation he has put forward. We know very well that the Jail Code does not recognise any political prisoner. He should have been explicit about what he said in his point of order. As he says, this does not refer to political prisoners; may I inquire what does he mean by political prisoners? This point should have been cleared up before the discussion was allowed to go on. I know that this branch of administration of the jails has been thrust upon him, and he being an old member of the House knows it very well that these prisoners have been termed political prisoners since the time of the recent political activities by a convention which has been established in spite of the Government notification during the time when the movement was going on and when so many *bhadralog* class people joined the civil disobedience movement and

were sent to prison. The Government notified in 1932 that certain actions on the part of the jail authorities, take for instance "*Sarkar Salam*," should be stopped, and they directed on account of the agitation in the countryside that "*Sarkar Salam*" would not be insisted on in respect of the civil disobedience prisoners. But the jail authorities enforced another system by which these prisoners in jail were allowed to sit down two and two. All these were most humiliating to the prisoners, as they do not like the idea. Therefore, it was up to them to adopt "*Salam Sarkar*."

Adjournment.

The Council was then adjourned till 3 p.m. on Monday, the 19th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 19th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 100 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Noabad taluks of Chittagong.

*121. **Haji Badi AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a list of the Noabad *taluks* of Chittagong purchased by the Government at Re. 1, with the revenue thereof and with the names of *khas mahals* in which they are situated, for the period commencing from January, 1931, to November, 1933?

(*b*) Have the Government been able to resettle the *taluks* so purchased?

(*c*) Is the Hon'ble Member in possession of information as to—

(*i*) why the *talukdars* did not pay up the arrears to release from sale such big *mahals*; and

(*ii*) why no bidders offered any bid at the sale?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Charu Chunder Chose): (*a*) A list is placed on the Library table.

(*b*) Out of 431 *taluks* purchased by Government, 343 *taluks* have been resettled.

(*c*) (*i*) (*ii*) This must be largely a matter of conjecture, but no doubt the main reason is to be found in the prevalent and long-continuing economic depression.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to (*b*), will the Hon'ble Member be pleased to state how many of these 343 *taluks* have been resettled with ex-proprietors?

The Hon'ble Sir CHARU CHUNDER GHOSE: I would ask for notice of this question.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether *taluks* Nos. 6749, 23924 and 32814 have been resettled with anybody?

The Hon'ble Sir CHARU CHUNDER GHOSE: I would ask for notice of this question.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether any of the *taluks* paying the highest amount of rent has been settled with anybody?

The Hon'ble Sir CHARU CHUNDER GHOSE: I should like to have notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state the reason why such a big *taluk* as No. 32814, bearing an annual revenue of Rs. 8,974 has been sold for one rupee only?

The Hon'ble Sir CHARU CHUNDER GHOSE: Here, again, I want notice.

Haji Badi Ahmed Chowdhury asked a supplementary question in Bengali to which the Hon'ble Sir Charu Chunder Ghose gave the following reply:—

As we will have to make a reference to the local authorities, I should like to have notice of this question.

Mr. SHANTI SHEKHARESWAR RAY: With reference to (*c*) (*i*), will the Hon'ble Member be pleased to state whether any inquiry has been made on the subject?

The Hon'ble Sir CHARU CHUNDER GHOSE: Yes, we have made inquiries.

Mr. SHANTI SHEKHARESWAR RAY: What is the result of that inquiry?

The Hon'ble Sir CHARU CHUNDER GHOSE: The reply from the Collector states that conjectural reasons can be given.

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(*c*) (*i*) (*ii*) This must be largely a matter of conjecture, but no doubt the main reason is to be found in the prevalent and long-continuing economic depression.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to (*b*), will the Hon'ble Member be pleased to state how many of these 343 *taluks* have been resettled with ex-proprietors?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, does this question arise?

Mr. PRESIDENT: That question does not arise. I do not allow that.

Babu SATYA KINKAR SAHANA: Will the Hon'ble Minister be pleased to state if there is any necessity for having a Persian teacher in the Dinajpur School when out of three Muslim girls in Class IX two have taken Sanskrit and one only reads Persian?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Very likely girls have taken up the study of Sanskrit because there are no Persian teachers. If there were Persian teachers in the Dinajpur School, probably these two girls would have taken Persian. It is after all a vicious circle. If you have teachers for Persian, you will have girls taking up Persian, and if you have girls taking up Persian you will have Persian teachers.

Babu SATYA KINKAR SAHANA: Is the Hon'ble Minister aware of the fact that His Excellency the Aga Khan has advised Bengali Muhammadans to take to the study of vernacular of the province?

Mr. PRESIDENT: I do not allow that question.

Maulvi ABUL QUASEM: Is it not a fact that on account of facilities not being provided for the study of Persian and Arabic, Muslim boys and girls take up Sanskrit as their second language?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I submit that it does not arise out of the question.

Hobakhali Middle English School, Narail.

***123. Mr. P. BANERJI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether he received—

(*i*) one memorial dated the 3rd November, 1933, sent by the villagers of Narail police-station through the Inspector of Schools, Presidency Division, making serious allegations against the Secretary, Middle English School, Hobakhali, Narail police-station, Jessore; and

(*ii*) another memorial dated the 12th December, 1933, sent by the said villagers through the Inspector of Schools, Jessore, making similar allegations against the aforesaid Secretary?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what were the contents of those memorials; and

(*ii*) what action, if any, Government have taken or intend to take?

(*c*) If no action has been taken or is intended to be taken, what are the reasons?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) He received neither memorial.

(*b*) and (*c*) Do not arise.

Excavation of the Lohajang river.

***124. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Irrigation Department aware—

(*i*) that a portion of the Lohajang river had been excavated by the Government a few years back;

(*ii*) that the object of excavation was to keep the river navigable during the rainy season for the ferry steamer that plies between Sirajganj and Tangail;

(*iii*) that the said excavated portion has again been silted up; and

(*iv*) that the ferry service between the said places is possible only for a portion of the rainy season when there is sufficient water in the river?

(*b*) Is the Hon'ble Member also aware—

(*i*) that the Gala Khal emerges from the said Lohajang river;

(*ii*) that through the said *khal* major portion of water flows, causing it thereby to become deeper and deeper year after year; and

(*iii*) that the said flow has been mainly responsible for the shallowness of the Lohajang river?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state what steps, if any, are being taken to improve the flow of the Lohajang river?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim Chuznavi, of Dilduar): (*a*)(*i*) to (*iv*) Yes.

(*b*) (*i*) and (*ii*) Yes.

(*iii*) Yes, below the offtake of the Gala Khal.

(*c*) There is a provision of Rs. 6,000 in next year's budget estimate for silt-clearing at the mouth of the Lohajang river, scraping three bad shoals in the river Bangshai and for closing the mouth of the Gala Khal temporarily, which will effect a further improvement of the river."

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that silting up is a direct consequence of heavy dredging?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: Not at all.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member kindly consult his expert about the matter, and state whether it is not a fact that heavy dredging is always attended by heavy silt deposits?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: The hon'ble member has evidently no knowledge of the locality, and I have personal knowledge that no dredging has been done in this river and, therefore, the question of silt deposits on account of heavy dredging does not arise.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to consult American books on dredging in which it is stated that silt deposits are the direct consequence of heavy dredging?

Mr. PRESIDENT: Order, order. I do not allow that question.

Grants to libraries.

***125. MUNINDRA DEB RAI MAHASAI:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing the allotment made of the discretionary grants by the Divisional Commissioners and District Magistrate towards libraries during the last 5 years?

The Hon'ble Sir CHARU CHUNDER GHOSE: The information desired is not available in any existing record and could only be obtained by special research which Government do not see their way to undertake in view of other heavy demands on the time of the officers concerned.

Joining time to officers of the Jail Department.

*126. **Kazi EMDADUL HOQUE:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether article 177 of the Civil Service Regulations, allowing all officers serving under the Government to enjoy joining time on transfer, is also applicable to the officers of the Bengal Jail Department, whose transfers are made by the Inspector General of Prisons?

(*b*) How many officers of the Jail Department were transferred during the years 1932 and 1933?

(*c*) How many of them were allowed to avail themselves of the joining time admissible under the rules?

(*d*) Is the Hon'ble Member aware—

(*i*) that, as a rule, the officers in the Jail Department, on transfer, are not allowed any joining time to prepare themselves to start for their new destinations;

(*ii*) that even after receipt of transfer order they are required to do office work up till the moment of their departure; and

(*iii*) that in consequence of this practice those officers are put to inconvenience and hardship?

(*e*) Are the Government considering the desirability of issuing instructions allowing the officers in the Jail Department joining time on transfer, admissible under the rules, except in special cases?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*) Articles 175 to 179 of the Civil Service Regulations have been superseded by Fundamental Rules 105 to 108, which relate to joining time and apply to officers of the Bengal Jails Department.

(*b*) 174.

(*c*) 152.

(*d*) (*i*), (*ii*) and (*iii*) No.

(*e*) In view of the existing practice no further instructions are called for.

List of scheduled castes.

***127. Raja Bahadur BHUPENDRA NARAYAN SINHA of Nashipur:** (*a*) Will the Hon'ble Member in charge of the Appointment (Reforms) Department be pleased to state—

(*i*) whether the Government have finally considered the representations invited in accordance with the Resolution No. 122-A.R., dated the 16th January, 1933, as published in the *Calcutta Gazette* of the 19th idem; and

(*ii*) when the official statement of its final decision will be published?

(*b*) If the final list of scheduled castes has been prepared, will the Hon'ble Member be pleased to state the number of castes finally scheduled and their respective population strength?

MEMBER in charge of APPOINTMENT (REFORMS) DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*)(*i*) and (*ii*) and (*b*) The Local Government have considered the representations referred to, but the final decision rests with His Majesty's Government, and it is not yet known when it will be published.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the Local Government have made any recommendations on the subject?

The Hon'ble Mr. R. N. REID: The Local Government have made recommendations on the subject.

Mr. SHANTI SHEKHARESWAR RAY: What are those recommendations?

The Hon'ble Mr. R. N. REID: I am not in a position to disclose them.

Mr. SHANTI SHEKHARESWAR RAY: Is it not a fact that Government do not want to take the House into their confidence in the matter?

The Hon'ble Mr. R. N. REID: It is not customary to publish in this House the contents of the correspondence between this Government and the Government of India.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Corruption in civil courts.

55. Maulvi MUHAMMAD FAZLULLAH: (*a*) Is the Hon'ble Member in charge of the Judicial Department aware that corruption and extortion for illegal gratification exist in the offices of law courts in Bengal?

(*b*) Is it the policy of the Government merely to dismiss officers found guilty of corruption and dishonesty and not to prosecute them even when such offences are clearly punishable under the Indian Penal Code?

(*c*) How many cases of such dishonesty, corruption and extortion for bribe and illegal gratification have come to the notice of the Government in the course of the last ten years?

(*d*) In how many of such cases were there inquiries by commission?

(*e*) In how many cases punishment was meted out to the guilty officers?

(*f*) What was the punishment meted out in each case?

(*g*) In how many cases were there prosecutions and with what result?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Charu Chunder Chose): (*a*) Government have no evidence of any widespread prevalence of corruption as is suggested in the question.

(*b*) No.

(*c*), (*d*), (*e*), (*f*) and (*g*) This information is not available and cannot be obtained without a laborious inquiry which Government regret they are not prepared to undertake.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to (*a*), in view of the fact that some corruption exists, is it the intention of Government to take any steps for the suppression of this corruption?

The Hon'ble Sir CHARU CHUNDER CHOSE: Government have no evidence that any widespread corruption exists.

Babu HEM CHANDRA ROY CHOUDHURI: My question was that, although there is no widespread corruption, still some corruption exists; and I wanted to know whether Government intend to take any step to prevent that corruption?

The Hon'ble Sir CHARU CHUNDER GHOSE: Government are and will always be prepared to take steps when a definite case is brought to their notice with evidence in support of that.

Babu SATYA KINKAR SAHANA: Is it not an open secret that in the *mufassal* courts whenever a party goes to file a complaint on a written statement he has to pay something to the ministerial officers there?

The Hon'ble Sir CHARU CHUNDER GHOSE: Government have no definite information with regard to that.

Mr. NARENDRA KUMAR BASU: Have the Government got any indefinite information on this point?

The Hon'ble Sir CHARU CHUNDER GHOSE: I have nothing further to add to what I have already said.

Maulvi SYED MAJID BAKSH: Is it not a part of Government's duty to make inquiries on their own initiation without waiting for the public to come forward and give evidence?

The Hon'ble Sir CHARU CHUNDER GHOSE: I have nothing further to add to what I have already said.

Mr. NARENDRA KUMAR BASU: Are the Government not aware that there is corruption in the ministerial departments of the civil courts?

The Hon'ble Sir CHARU CHUNDER GHOSE: The answer is in the negative.

Babu HEM CHANDRA ROY CHOUDHURI: Does the Hon'ble Member intend to start an inquiry to find whether a widespread corruption exists or not?

The Hon'ble Sir CHARU CHUNDER GHOSE: As soon as a definite case is brought to the notice of Government, an inquiry will certainly be made.

Babu SATYA KINKAR SAHANA: I want to know whether they would initiate an inquiry to find out generally whether corruption exists or not?

The Hon'ble Sir CHARU CHUNDER GHOSE: It is not intended to initiate an inquiry.

Ishurdi-Pabna Road.

88. Dr. JOGENDRA CHANDRA CHAUDHURI: (*a*) Will the Hon'ble Minister in charge of the Public Works Department be pleased to state—

(*i*) what will be the length and average width of the Ishurdi-Pabna Road;

(*ii*) what portion of the road will be metalled;

(*iii*) what will be the average breadth of the metalled portion; and

(*iv*) whether the land acquisition work of the said road has been completed?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, when was the said work completed?

(*c*) What were the amounts sanctioned and actually spent for land acquisition work of the said road?

(*d*) When has the earthwork of the said road been taken up and when is it likely to be completed?

(*e*) What amount was estimated for the said road?

(*f*) What amount has actually been recommended by the Provincial Road Board?

(*g*) In how many years is the road likely to be completed and open to pedestrians and vehicular traffic respectively?

(*h*) What amount has been estimated to be spent on this road during each official year till its completion?

(*i*) Will the Hon'ble Minister be pleased to state the site selected for the location of the bridge over the river Ichamati?

(*j*) What amounts have been estimated and sanctioned respectively for this bridge?

(*k*) Is the road to be closed to pedestrian and vehicular traffic during any stage of construction? If so, when?

(*l*) If the answer to (*k*) is in the affirmative, what will be the alternative route for traffic between Ishurdi station and Pabna town at that time?

(*m*) By what agency is the road to be maintained after its construction?

(*n*) What will be the average maintenance charge of this road?

MINISTER in charge of PUBLIC WORKS DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (*a*)(*i*) Length about 15¾ miles and crest width 30 feet.

(*ii*) The entire length.

(*iii*) 12 feet between edgings.

(*iv*) Not yet.

(*b*) The question does not arise.

(*c*) The total amount will be approximately Rs. 65,000, but all the estimates have not yet been sanctioned. About Rs. 46,600 is expected to be spent this year.

(*d*) The earthwork was started on 20th November, 1933, and is likely to be completed during next financial year.

(*e*) Rupees 8,05,570.

(*f*) Rupees 8,05,570.

(*g*) It is likely to be completed in five years counting from the present financial year. The road will remain open to pedestrians and will be completely open to vehicular traffic after the completion of the work.

(*h*) 1932-33—Rs. 2,816.

1933-34—Rs. 79,000.

1934-35—Rs. 2,21,000.

1935-36—Rs. 2,60,500.

1936-37—Rs. 1,50,200.

1937-38—Rs. 92,054.

Total—Rs. 8,05,570.

(*i*) At about 300 feet up stream of Radhanagar Ferry Ghat.

(*j*) The estimate is under preparation.

(*k*) For pedestrians—No.

For vehicular traffic—The portion from 2nd to 11th mile (from Pabna) will be closed daily from 10 a.m. to 5 p.m. up to March, 1935.

(*l*) The Pabna-Dapunia-Dasuria Road.

(*m*) The district board.

(*n*) Approximately Rs. 2,000 per mile.

Mr. NARENDRA KUMAR BASU: With reference to (*l*), what is the length of that road?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I should like to have notice of this question.

Mr. NARENDRA KUMAR BASU: Is the road mentioned in (*1*) pucca or otherwise?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: It is a pucca road, Sir.

Mr. NARENDRA KUMAR BASU: Is it motorable?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: It is supposed to be so, Sir.

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

26—Jails and convict settlements.

Mr. PRESIDENT: We were discussing items Nos. 366 and 367. I believe Mr. P. Banerji was in possession of the House.

Mr. P. BANERJI: Sir, yesterday I was referring to the policy of the jail authorities not following the policies of the Government of Bengal laid down some time in 1932. Government issued a circular letter to the jail authorities, saying that in the case of political prisoners *Sarkar Salam* should not be insisted upon and that in this matter they should be treated as special class prisoners. Government also directed the jail authorities to see that better rice are given to these prisoners and that these prisoners should not be confined along with the ordinary convicts.

Mr. PRESIDENT: On which motion are you speaking?

Mr. P. BANERJI: Number 366, Sir, which deals with the treatment of detenus and political prisoners. Sir, as I said, this continued for some time. But when there were a large number of political prisoners, this *Sarkar Salam* has again been introduced in many jails in Bengal. Government continued the policy of conciliation for some time so far as these prisoners were concerned. Their policy, I believe, was that these prisoners should be well treated and well looked after so that when they return they would return as peaceful citizens and corrected. Instead of that the jail authorities have not decided to disturb the peace of these prisoners. Their feelings are being wounded and the system of *Sarkar Salam* has been introduced. Not only once

but four or five times in the day they have to do this *Sarkar Salam*. They have to stand up and do this *Sarkar Salam* and salute the jail officers, in spite of the fact that Government circularised that it will be sufficient for these prisoners only to wish good morning or even to do *Namaskar* or offer some sort of greeting. I may cite one specific instance in Comilla. The civil disobedience prisoners have to do it four or five times a day. All the privileges that were given to them have been taken away. They are also not given good rice. This was also the case in Alipore. We were told that good rice may not be available in all districts, but is it possible that good rice was not available in Calcutta? It is well known that the contractors supply rice to jails at a certain price. They are expected to supply good rice for these prisoners. But the rice supplied by them does not come up to the standard. The contractors have to make some profit, but is it not the duty of the jail authorities to see that the contractors supply good rice? As is well known, rice is the staple food of the Bengalees, and without rice the prisoners cannot subsist. We have brought this to the notice of the Government year after year and though Government intend to give them good rice and other facilities, there seems to be no possibility of these prisoners getting good rice.

Mr. PRESIDENT: If you are not speaking on item No. 368, I do not understand how the question of dietary comes in under this amendment.

Mr. P. BANERJI: May I not include that also under the general question of the treatment of political prisoners?

Mr. PRESIDENT: I do not think Mr. Shanti Shekhareswar Ray intended to include dietary in his motion. You no doubt have tabled a motion which deals specifically with this subject. You can speak on dietary when you move it.

Mr. P. BANERJI: Very well, Sir. These political prisoners are not properly looked after in all jails. This change has been due to the overzealous officers in the person of the Inspector-General of Prisons, Mr. Flowerdew. Wherever he goes, he is insisting on this sort of amendment in order to humiliate the political prisoners. As is well known, these civil disobedience prisoners were convicted for breaking the laws, and so they are not prepared to do *Sarkar Salam*. In spite of the Government circular, they are punished for not doing *Sarkar Salam*. All other facilities which were given to them by Government as special prisoners are also being refused to them. The result is that bitter feelings are being engendered in their minds by this treatment. Their relations are that of friends. When they hear of these things, they are also naturally imbibed with that feeling. I

would request the Hon'ble Member to see that the instructions of Government are followed by the jail authorities. So much about the political prisoners.

Now about the detenus. The number of detenus has increased from three or four hundred to about two thousand. These detenus are to be treated well—that was the policy of the Government. But from the informations received from different sources, we learn that they are not properly treated. I do not find any object in taking away the detenus from Bengal to Deoli in Rajputana. Deoli has been described as a sort of hell. At this time of the year the heat of the Rajputana desert is intolerable, particularly to a Bengalee who is not accustomed to that climate. Those who have travelled in Central India and Rajputana during the hot days know what the heat of Rajputana is like during the hot part of the season. It is really very difficult for the people of Bengal. That is one side of the thing. Another is that at one time all sorts of facilities were given to the detenus. A pocket allowance of Rs. 60 which used to be given to them has now been reduced to Rs. 15 and another allowance of Rs. 3-8 has been reduced to Re. 1. Their family allowance has also been considerably reduced, and it is contemplated that by the passing of the Bengal Criminal Law (Amendment) Act to refuse this allowance altogether in certain cases. The whole object of Government by passing that Act is to put all sorts of difficulties in the way of the detenus. The result will be that the detenus, their friends and relatives, all would be subjected to all sorts of troubles. The object of Government in doing so is to stamp out terrorism from the land, but as I have said it will be a wrong policy on the part of Government to adopt such a measure as it will increase the terrorist activities. I would, therefore, request the Hon'ble Member to see that things are in proper order in every jail. I would particularly request him to consider the state of affairs that are now prevailing in certain jails on account of the conduct of the officers there.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I should like to say something on the motion that is now before us. I think the Hon'ble Member may ask as to what the reasons is for repeating practically the same arguments year after year on the general question of the treatment of political prisoners and detenus. The justification for bringing this question before the Council this year has been increased by the inclusion of a section in the Bengal Criminal Law (Amendment) Act which provides that a class of information will in future be prevented from being published in newspapers. The Hon'ble Member in the Statement of Objects and Reasons as also in his speech made it abundantly clear that information about the health and welfare of the detenus might be also prohibited. The only place, therefore, where these questions can be discussed will be the floor of this

House, until and unless another measure is passed by Government to prevent it from being discussed here also. I have no desire to enter into the details, some of which have already been placed before the House by previous speakers, but I would like to place one aspect of the question before the House. A Conference of Inspectors-General of Prisons of different provinces was held in Allahabad very recently, and a report of the proceedings has just been published. The report gives just a summary of the resolutions passed at that Conference. These resolutions afford us considerable food for reflection. In fact, in some respects they are of a most reactionary character. We can ask from the Hon'ble Member an assurance that before these resolutions are given effect to by Government, an opportunity would be given to the non-official members to consider them. In order to give the House an idea of the nature of the drastic recommendations, I would just lay a few items before the members. In the first place, reference has been made to the duties and powers of the jail visitors. It is rather interesting to know the point of view from which the Inspectors-General look at the appointment of non-official jail visitors. The resolution passed at this Conference is to the effect that the duties and powers of the non-official visitors are in the opinion of these officers too exhaustive and should be curtailed. It is recommended that the number of visits should be strictly limited and also the duration of each visit should be fixed. I have not been a jail visitor at any time, but I have it on the authority of some members who occupy that position that their powers are nothing but of a recommendatory character. Even those powers are regarded by the Inspectors-General as requiring further curtailment. I am told that one of the duties of the jail visitors is to visit the inmates of the jail in order to satisfy themselves that everything is done properly. Unless such an opportunity is given, it is impossible for them to perform their duties at all. So, if this recommendation is accepted, *viz.*, that in future a definite limitation should be imposed with regard to the duration of the time for which a jail visitor can remain inside a jail, it will practically be doing away with the principle object altogether. Secondly, I find another extraordinary principle enunciated, namely, that lawyers and *vakils*—I do not know why *vakils* should have been separately mentioned—should on principle be not appointed non-official visitors. Some explanation ought to have been forthcoming for excluding this class of public men. The reason for this is not included in the resolution. Unless it is a fact that these lawyers have discharged their duties with an independence which is not relished by the Inspector-General of a particular province, I do not see any justification for excluding them. Stress has been laid on the point that the District Magistrate should recommend persons who are influential citizens—not suggesting that they should be Khan Bahadurs and Rai Bahadurs—interested in social service. Is it suggested that hitherto

Government have selected persons of no influence altogether? I am not going to place before the House all these resolutions, but only some of them from which the House will be in a position to conclude as to the reactionary nature of the measures recommended by the officers who are entrusted with the duty of seeing that proper administration of the jails is carried out in the different provinces. Let us note one or two more. With regard to punishment, I find that the Conference recommends that certain powers which are at present vested in the Government should be taken up by the jail officials. With regard to whipping, it should not be necessary to wait for the permission of the Local Government. It will be sufficient if the permission of the District Magistrate is obtained. That also is a matter which we should prefer to leave to the Local Government. Thirdly, another astounding proposal has been put forward that outside medical practitioners should not be allowed to enter the prison to treat a prisoner. This again is very difficult to appreciate. There have been cases, though not many, in which Government themselves have agreed to the appointment of outside medical practitioners. There can be no justification for the adoption of such a stereotyped rule that in no case should an outside medical practitioner be allowed to see a prisoner. The only provision made is that they should be allowed only for the purpose of consultation with the jail medical officer. I shall not refer in detail to certain resolutions which relate to terrorists, for such a discussion may be ruled irrelevant. They provide that they will not be allowed, even if they fall ill, to be treated in any hospital. Then comes another resolution about hunger-strikers. The Conference first lays down that, it should be left to the medical officer to decide when artificial feeding should be resorted to and when desisted from. Then they recommend that the hunger-strikers should be segregated and whipping should be inflicted, if necessary. They also recommend that food should not be cooked for them unless they gave enough notice that they had given up the strike. It is surprising that whipping could be seriously urged as a remedy for hunger-strike. It is surprising indeed that these responsible officers did not regard it as essential that in the event of a hunger-strike there should be a thorough and searching inquiry or that there should be a speedy removal of just and legitimate grievances. Resort to whipping and hunger-strike will disappear! This gives us a very clear picture of the way in which things are moving. One would ordinarily expect that when these officers meet, they should be able to make some helpful suggestions which will improve the present tension and will be appreciated by the public. But the suggestions which have been made are entirely reactionary in character, and if carried into effect will render the position of Government already difficult still more difficult. I would again ask the Hon'ble Member to give an assurance to the House that before giving effect to these drastic recommendations, Government

should give us an opportunity to discuss them. If, however, there are practical difficulties in discussing them here on the floor of the House, certainly there are other means of obtaining the views of the public on the questions. I think much good will be achieved if Government gives an opportunity to the non-official members of this House and to the public to discuss them in order to consider how far these recommendations should be accepted.

There is one other matter I would like to refer to. When the Bengal Criminal Law (Amendment) Act was introduced some years ago, an assurance was given by the then Hon'ble Member—I hope the Hon'ble Member will correct me if I am wrong—that Government would take a periodical stock of the conditions of the detenus who are detained in the various detention camps with a view to consider whether they could be released, and if so, under what conditions and circumstances. In fact, an assurance was given that some such stock would be taken by Government every year. I ask whether any such annual stock was taken by Government at any time, and if so with what result? I think that if the public were taken into confidence in making this annual survey, the result would be very satisfactory, as they are vitally interested in the matter.

Mr. NARENDRA KUMAR BASU: I rise to support motion No. 366, and I propose to deal with one question only, *viz.*, the transfer of detenus to the Deoli Jail. Sir, it will be in the recollection of the House that the principle of the transfer of prisoners to prisons outside the province was not brought to the notice of the Legislative Council before the Deoli Jail was decided upon. As a matter of fact, by means of a token cut about two years after the transfer had been effected and expenses incurred at Deoli, it was on the recommendation of the Public Accounts Committee that this matter was brought up before the Council. That might have been financially correct, but I submit that the way in which this principle has been decided upon gives us furiously to think. Here are people detained without trial and you transfer them 1,500 miles away from this province to a climate which is absolutely uncongenial to them and where there is no food available fit for the Bengalee middle class, from whom most of these people come, and they are not to have any board of visitors. I do not know whether there is a local board of non-official visitors, but I am quite sure that there is no board of Bengali non-official visitors, who are the only people likely to know how these people are faring. I submit that these facts, together with other facts that have come to our notice through newspapers, which are still publishing all this information regarding detenus, namely, that two or three of them have died and many of them have fallen ill and even in this morning's paper we are told that a batch of them from Deoli has been brought over to the Ajmere station and is being

entrained for a hospital—either to the Presidency Jail Hospital or to some other hospital in Calcutta. This shows, Sir, that even if in this season, particularly in the cold season through which we are passing, these prisoners fall ill like that, you can well imagine what their condition will be in the Rajputana desert in the summer, and I submit that it is the bounden duty of Government to see that matters regarding these detenus are made public and the panic or rather the apprehension that the public have come to feel about the condition of these detenus should be removed. We were told by Mr. Syamaprosad Mookerjee just now that probably the giving of information about detenus will be completely stopped in the near future; it may be so or it may not be so; that of course depends on the sweet will of the Local Government, but I do think that instead of banning all information regarding these detenus, if the Government were to see that the real state of these detenus in Deoli is made known to the public and some non-official members of this House or some non-officials of the public of Bengal, whom the Hon'ble Member or his Government can trust, even if half-a-dozen men like that are sent out from time to time, not all together, but even one every two months or so, to see how these detenus are faring, I think it would be advantageous not only from the people's point of view but from the Government's point of view also. I therefore beg to make this recommendation very strongly to the Government to have a board of visitors appointed as early as possible.

MUNINDRA DEB RAI MAHASAI: Sir, I rise in support of the motion moved by my friend Mr. Shanti Shekhareswar Ray. The detenus and the civil disobedience prisoners are not ordinary convicts. Most of them come from *bhadralok* families and deserve better treatment. Some of them suffer for holding advanced political views and some for perverted views. For reasons of state they might be deprived of their liberty. That I think should be regarded as sufficient punishment for these impatient idealists, but it would be cruel and inhuman to treat them harshly; save and except the deprivation of their freedom, no other restrictions should be imposed on them. The treatment should not be at all galling to their self-respect. They should feel that they are quite at home excepting the liberty of movement. The food to be supplied to them must be of good quality—ample facilities should be afforded to them for reading and writing. In some jails like that of Hooghly District Jail there is no provision for supply of books. For educated people intellectual starvation is an additional punishment. Government ought to see that the treatment these prisoners receive in jail do not brutalise them. The jail should be like a house of correction and not for making brutes of men. For instance, in Hooghly District Jail on the plea of jail discipline some

civil disobedience prisoners were forced to work in the *ghani* or oil-mill some time ago. This is one of the most inhuman treatments for *bhadralok* young men. It is sure to have a demoralising effect. It brutalises the sufferers and make them more inimical to Government, whereas better treatment could have turned them into friends and better citizens when they come out from the jail. Pray be more considerate and humane in your treatment towards this class of prisoners.

If the Jail Code stood in the way of fair treatment, it should be amended to meet the exigencies of the hour. My friend Mr. Ray has referred to the several detention camps especially that of Deoli where great hardships are experienced by the detenus owing to dual control. Early steps should be taken to remove these legitimate grievances. People have lost all faith in the Government *communiques*. The happenings in the Hijli Jail have tarnished the fair name of Government as being the fountain-head of whitewashing and untrue *communiqués*. As Government *communiqués* failed to allay popular feelings with regard to unnatural deaths, hunger-strikes and bad treatment meted out to the detenus and prisoners, all sorts of rumours spread like wild fire throughout the country, and help to increase the prevailing discontent which is not at all desirable in the best interests of the country. Greater care should be taken to issue correct statements, white-washing *communiqués* do more harm than good and help to lower the Government in public estimation.

Mr. Syamaprosad Mookerjee referred to drastic recommendations made at the Conference of the Inspectors-General of Prisons of the different provinces in India. I hope the Home Member will inform this House about the action Government propose to take in the matter. If these recommendations were adopted, discontent in this country will know no bounds. Pray do not go back to the barbaric age. Be considerate and humane in your treatment of these classes of prisoners and try to bring them over to the side of Government. Try to turn them into friends and good citizens when they come out of the jail. Please see that by your treatment towards them they do not turn themselves as the bitter enemies of the Government.

Babu SATYA KINKAR SAHANA: I am glad to have an opportunity of speaking on the motion that is before the House. I am sorry that I cannot support it. My reasons are that the experience that I have of jails is not what has been stated in this House by some of the hon'ble members. Mr. Shanti Shekhareswar Ray has attributed vindictiveness to Government and Dr. Ghose has attributed heartlessness and niggardliness on the part of Government towards the political prisoners. I am a non-official visitor of the Bistoopur Sub-Jail, of the Bankura Jail and Bankura Borstal Institution, which is

the only one of its kind in the province, for the last few years. Government does not make any distinction between political and non-political prisoners. The term "political prisoner" has got an applied sense adopted by the politicals of this country, that political prisoners mean *bhadraloks* who have transgressed the law of the land in pursuit of some political ideals and within the range of this term are included all sorts of political offenders, from hired picketers up to the terrorists. During the heyday of the civil disobedience movement the Bistoopur Sub-Jail and the Bankura Jail were more filled with civil disobedience prisoners than ordinary convicts, and I have heard of no occasion when any one of the civil disobedience prisoners complained about their food or of ill-treatment towards them. Only once a young boy of 12 complained to me that he was not getting *luchis* and meat daily, as he had been assured by the leaders, who induced him to act as a civil disobedience *wallah*. As regards the Borstal Institution, I am not only a visitor there, but I frequently go there being requested by the Superintendent of the Institution to speak to the boys there. The Borstal Institution is a reformatory, and we have boys there from the age of 14 to 21.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Are there political prisoners and detenus in the Borstal Institution?

Babu SATYA KINKAR SAHANA: Yes there are. There are convicts and their ages range generally from 14 to 21. They are given education and training in all sorts of useful industries: they are trained in gardening, in book binding, in tailoring, in weaving, carpentry, soldering, durry-making, and nursing and other useful industries. The attempt of the Government there is to build up not only the bodies but also the minds of the inmates of that institution and convert them into useful citizens. The jail people there do not use the term convict with regard to them, but they are spoken of simply as inmates of the institution. They were formerly about 400 in number, but it has now come down to 300. What sort of treatment they get there? Most of them when they entered this institution were quite illiterate, but now a school has been started and they have picked up literacy. For the last two or three years 3 or 4 students passed the Matriculation Examination and one of them has been placed in the Bankura College.

Mr. PRESIDENT: Are they political prisoners?

Babu SATYA KINKAR SAHANA: Some of them, Sir, not all. Because there is no distinction between political prisoners and ordinary convicts in the Borstal Institution.

Mr. PRESIDENT: I think you are surely referring to the political prisoners in the Borstal Institution.

Babu SATYA KINKAR SAHANA: Yes, Sir, I am referring to the inmates of the Borstal Institution because I do not know how many of them are political prisoners and how many of them are not. There is one among them who is a son of a pleader of Dacca.

Mr. PRESIDENT: Now, you are opposing the motion before the House and it is for you to show that political prisoners are not oppressed or ill-treated there. We do not want any general description. That is not necessary.

Babu SATYA KINKAR SAHANA: Even the political prisoners there are given all sorts of physical training. They are given training in bar exercises and *mugur* exercises, in football and other sorts of exercise. The Superintendent takes them out without any police guards to play football matches and hockey matches with the teams of the local schools and college, and with the military teams. And it is only recently that these detenus played matches with the Collector's team—the Collector Mr. Holland taking part in the games. They are getting such good training that one of them has been appointed on the recommendation of the Superintendent of the Borstal Institution to be the teacher of gymnastics in a high school.

Mr. PRESIDENT: Are they taught ancient history and metaphysics there? (Laughter.)

Babu SATYA KINKAR SAHANA: Sir, when I speak to them ancient history and metaphysics cannot but creep in there.

Babu JITENDRALAL BANNERJEE: Only poetry.

Babu SATYA KINKAR SAHANA: Some of the inmates have admitted that they were misled and——

Mr. PRESIDENT: I am afraid, Mr. Sahana, you are not following my instructions.

Babu SATYA KINKAR SAHANA: Some of the inmates are political prisoners.

Mr. P. BANERJI: How many?

Babu SATYA KINKAR SAHANA: I know of four at least. They admitted to me that they were misled and they were glad that they had

got an opportunity of a change. As regards the hunger-strike, I am not aware of any such thing in the Borstal Institution so far as political prisoners are concerned. If, Sir, all this is the outcome of vindictiveness and niggardliness, such vindictiveness and niggardliness cannot be there.

As regards hunger-strike, I have no experience of hunger-strike of these political prisoners, but I have some experience of hunger-strike of politically-minded college students, and I know on what flimsy grounds they can raise such hobgoblins.

Dr. AMULYA RATAN GHOSE: On a point of order, Sir. The hon'ble member has referred to politically-minded college students, and I want your ruling whether he is in order.

Mr. PRESIDENT: He is surely jumping from one thing to another. I must warn him once again not to stray away from the real issue involved in the question now before the House.

Babu SATYA KINKAR SAHANA: All that I can say, Sir, is that they are not ill-treated. The cry of ill-treatment reminds me of a few lines—from a song of the poet Tagore, which are as follows:-

"আপনার দোষে পরে করি দোষী,
আনন্দে সবার গায়ে ছড়াই মসী,
হেথা আপন কলঙ্ক উঠিছে উছলি
রাখিবার নাহি স্থান।"

Mr. PRESIDENT: Order, order. I have no time to listen to all that. You always bring in ancient history, metaphysics or poetry. (Laughter.)

Babu SATYA KINKAR SAHANA: I oppose these motions.

Mr. A. RAHEEM: Mr. President, Sir, the matter under discussion is one on which I cannot give a silent vote, and, therefore, I desire to make a few observations in connection with certain remarks made by my friends Mr. Shanti Shekhareswar Ray and Dr. Amulya Ratan Ghose about the ill-treatment with detenus and political prisoners in jails. It is one of the most ordinary things, Sir, for the interested parties to spread a rumour, which may be true or false, in any matter in which they are interested. It is equally easy for people to believe it. Sir, I wish my friend Mr. Shanti Shekhareswar Ray, before sending in this token cut motion, should have taken the trouble of finding it out whether his informations were true or not, which I am sure he did not care to do. However, now I give him some informations in reply to

his criticism about the jail administrations and trust he will be satisfied with them. The first suggestion, Mr. Ray made was that Government should appoint non-official visitors for jails and detention camps which, according to Mr. Ray, would ease the situation to a certain extent. Sir, I may inform him that there are boards of non-official visitors who inspect the jails and detention camps.

Mr. SHANTI SHEKHARESWAR RAY: On a point of personal explanation, Sir. All that I said was that non-official visitors should be appointed for the Deoli Jail. Is the hon'ble member in a position to state that there are such visitors for the Deoli Jail?

Mr. A. RAHEEM: I do not know particularly about the Deoli Jail.

Mr. SHANTI SHEKHARESWAR RAY: Then in that case, Sir, the hon'ble member should not have made such sweeping remarks. At any rate, I do not require any correction from him.

Mr. A. RAHEEM: Sir, so far as Deoli Jail is concerned there is no reason to suppose that there is not a board of visitors.

Mr. SHANTI SHEKHARESWAR RAY: If there is any, it does not consist of any member from Bengal.

Mr. A. RAHEEM: I am not quite certain about it. So far as Calcutta is concerned, I know for certain that there are non-official visitors, and I have been one of them for many years. Some of the visitors do not take any interest in the matter. For example, one of my colleagues Mr. Surendra Nath Law, whom I do not find in this House to-day, has not visited the Presidency Jail since 1931, the year in which he last visited it. Well, Sir, if the visitors do not discharge their duties properly, then it is unfair to blame the Government. Sir, my last visit to the Presidency Jail was only on last Friday, that is, about four days ago. So far as the Presidency Jail is concerned, I can most emphatically assure my friends that their informations are absolutely incorrect. When I visited the Presidency Jail, there were over 90 detenus in that jail. Out of them I met about 15. When I went there—it was early morning—I found them taking their morning tea, with toasts and butter. I had a talk with almost all of them, and found them quite jolly and pleased. I was very particular in asking each of them whether they had any complaint to make, and perhaps my hon'ble friend Mr. Ray will be surprised to hear that they all unanimously told me that they had no complaints whatsoever of the nature mentioned by Mr. Ray. Sir, it will be an exaggeration if I say that they had no complaint of any kind. There was a complaint which

they brought to my notice it is about the excessive rates which they have to pay for their foodstuffs. The detenus are allowed annas 14 per head per diem and, further, they are allowed to choose their articles of diet. The foodstuff is supplied by contractors, and so, as one can understand, there may be reasonable ground for discontent on that account. I also made inquiries about this complaint from the Superintendent of the jail and found that he had a petition with him which was submitted by the detenus in connection with the same complaint, and I am pleased to say that the Superintendent was prompt in his efforts to remove the complaint. Now, Sir, the second complaint which my friend Mr. Shanti Shekhareswar Ray has made is that when any detenu falls ill, the jail authorities take very long to inform his relatives. In answer to this I might inform the hon'ble member that under the rules as given in the Jail Code there is no provision for informing the relatives of any inmates of a jail. But in spite of the absence of any such rule in the Jail Code, the relatives are informed if the case of illness of any prisoner is serious.

Then, Sir, as regards the remarks of my other friend, Dr. Amulya Ratan Ghose, about wire-netting in jails, he alleged that the detenus and political prisoners are kept in a wire-netting cage when their relatives or friends go to interview them, and the visitors are kept in another wire-netting cage some 12 or 15 feet far from the prisoners. Sir, so far as the Presidency Jail is concerned, the statement of my friend is far from the truth. As far as my personal knowledge goes, these interviews with the detenus take place in a room; of course there is a screen of wire-netting in the room and the relatives or friends are allowed to go up to the wire-netting which keep them away about two feet only away from the prisoners.

Dr. AMULYA RATAN GHOSE: No, no.

Mr. SHANTI SHEKHARESWAR RAY: Are you speaking of the Dum Dum Jail?

Mr. A. RAHEEM: I have already said that I am speaking about the Presidency Jail. Sir, the wire-netting is provided just for the sake of precaution, so that the visitors may not be able to pass anything to the detenus through the netting. As regards the political prisoners of Class A, I know they are allowed to meet with their friends and relatives in the Superintendent's office room. So, Sir, the complaint of Dr. Amulya Ratan Ghose has no substantial foundation.

Dr. AMULYA RATAN GHOSE: Sir, may I ask the hon'ble member, through you, whether he has any experience of the Dum Dum Jail?

Babu JITENDRALAL BANNERJEE: It is the same everywhere.

Mr. A. RAHEEM: I have repeatedly told the House that I am speaking of the Presidency Jail, and I believe similar arrangements are in the other jails. I oppose these motions.

The Hon'ble Mr. R. N. REID: Sir, we are dealing with motions Nos. 366, which refers to the treatment of detenus and political prisoners, 367, which refers to the interviewing of convicts through a wire-netting in the Dum Dum Special Jail, and 376, which refers to the conditions of the Hijli Jail and the ill-treatment of prisoners there. The discussion has ranged over such a large number of subjects that I find it rather difficult to answer all the points raised in a connected and well-reasoned way. With regard to Dr. Ghose's complaint about wire-netting in the Dum Dum Special Jail, I inquired about it and found that the conditions there for interviewing the prisoners are very little different from what obtain in other jails and I submit, Sir, that there is nothing in particular, so far as the Dum Dum Special Jail is concerned, to which one can really take any exception. There is nothing to prevent the interviewer and interviewee from having conversations. The precaution for wire-netting, as the previous speaker has said, is necessary for obvious reasons. Beyond that I do not think that we can go very far. In fact, I found it rather difficult to follow what Dr. Ghose's real objection to this wire-netting was, and I fail to understand what his objection could be. The wire-netting, in fact, is a barrier through which physical contact is not possible, and it is absolutely necessary. He spoke at some length about conditions in Hijli Special Jail; that is, whenever he was brought back to the Special Jail instead of running away to the detention camp which confused the issue. There I must confess that again I found it rather difficult to follow him. He was unable to name the prisoner or the date of the occurrence or place where it happened, but it was something about the ill-treatment of a released prisoner who was at once thrown back into jail. If this sort of accusation is brought against our jail officials and Government, I submit, it ought to be supported by facts and circumstances of a definite kind, and I do not think that we can be expected to bring forward facts to disprove such ill-supported accusations.

Mr. P. Banerji also made one of those speeches which I myself—I do not know whether I am singular in this—found it rather difficult to follow. He made a series of very grave accusations against Government and against jail officers, and possibly he had good grounds for making those accusations. He certainly made the remarks in a categorical way, but there again whether he had definite grounds or definite proof of the facts which he alleged, I do not know. If he comes to me or Mr. Ray with the facts that he alleged, I shall be only

too glad to inquire, if necessary, and give an answer if necessary, and endeavour to explain the conditions. But I submit that the vague accusations made on the floor of this House simply do harm. They advance his case, if he has a case, no further, because they cannot really discredit the persons against whom they are alleged, simply because they are based on no apparent foundation. I do feel that this sort of wild allegations if made at all should be made on the basis of definite information. If this sort of unfounded information goes outside the House and published, it can do an immense amount of harm. One thing in particular which I wish to deprecate was the attack on the Inspector-General of Prisons. Well, Sir, the Government have the utmost confidence in Colonel Flowerdew. There is no indication whatever that during the years Colonel Flowerdew served in this province, to believe that like other officers he was not only devoted to his duties but had also the interests so far as it is compatible, with a proper system of jail administration of the inmates of the jails at heart, and we have no reason whatever to believe that there was the slightest foundation for the allegations which Mr. Banerji made to the effect that he is an overzealous officer and that he is only out to wreak his ill-will on the convicts who are under his care.

Mr. P. BANERJI: May I inquire whether he is acting under the direction of Government?

The Hon'ble Mr. R. N. REID: Mr. Syamaprosad Mookerjee brought up the question and read out several resolutions of the recent Conference of the Inspectors-General of Prisons and in a very carefully considered speech he explained to us some of the resolutions on which he based his apprehensions that the Prisons officers as a body were out to be rather harsh and inconsiderable in their administration. He asked us for an assurance that before those resolutions were brought into force in this province, the non-official members of this House should be given an opportunity of considering them. I think it is scarcely a practical proposition, because it is generally agreed and, in fact it is a fundamental axiom, that a legislative body, such as this Council is, is not the body to consider executive rules and orders. Legislative bodies pass laws and give the executive Government powers which that Government uses according to its best ability and according to its own lights, but it has never been held to be the duty of a Legislative Council to scrutinize the executive orders, the administrative orders that the Local Government may pass. Actually, I have not seen those resolutions of the Conference of the Inspectors-General of Prisons. No doubt they will reach us in due course, through the Government of India, and they will certainly receive very careful consideration. We shall not accept any of them without considering whether they are the sort of thing that we want in this province and

whether they are suitable for putting into force in this province. It is unfair perhaps to pillory the resolutions of the Conference of the Inspectors-General of Prisons in the way Mr. Mookerjee did, because after all they are looking at the problems which they are considering from a particular point of view. I have no doubt that the resolutions which they passed were the result of their experience, in many cases bitter experience, of the trouble to which the recalcitrant prisoners can put the jail staff. We have plenty of such experience in this province and there are no limits to the way in which the prisoners, specially if they are in large numbers, can go in the way of harassing and making the life of the jail staff miserable. He mentioned one point about outside medical practitioners. At the present moment outside medical practitioners can be and are called into jails, and that is in accordance with the Jail Code. Whether Government are likely to accept what I think Mr. Mookerjee described as one of the recommendations of the Conference which sought to bar them in future, I do not know and I cannot say offhand, but it is extremely unlikely. Then he asked whether we took periodical stock of the position of the detenus. We do. Every detenu's case is brought up after a year, and we consider his case with a view to see whether the order should be continued for another period or whether it should be cancelled or not. That is regularly done.

Mr. N. K. Basu dwelt on the question of Deoli. I think the House is well aware of the reason why the Deoli Camp was started in 1932. There was a great congestion in Bengal and we could not accommodate further detenus here, and that is one reason why it was started. The second reason was this: that these men which we have in the Detention Camp are all men who are deep in the terrorist movement. To remove them outside the province does make a difference both to conditions here and also to their own mentality. It is quite wrong to say that at Deoli there is no food available fit for Bengalees. Special arrangements are being made there so that they can get fish. It is brought from a considerable distance at a considerable expense, but they do get it, and every endeavour is made to see that they get the kind of food they are accustomed to as far as possible in their own country. An assurance to that effect was given in the Assembly and that assurance has been acted up to. The climate there is not uncongenial, though of different kind from Bengal. It is very dry but on the whole healthy and is extremely good. It is not a desert. I have seen the place.

Mr. Shanti Shekhareswar Ray has referred to unnatural deaths in Deoli. I am quite certain that the deaths were not due to climatic conditions there, and as one knows that among a body of 500 men sent up there you cannot expect all of them to be immune from disease and you cannot prevent attacks of appendicitis. The medical arrangements

there are definitely good, and the Government of India are very insistent that we should have good medical officers on the spot and they are carefully looked after. Each section of the camp has a compounder and a dresser who have no other duty except to look after the immediate wants of a particular section of the camp. In cases of a serious nature the Medical Officer in charge of the Camp gets into touch with the Chief Medical Officer of Ajmere and, if necessary, these cases are sent to the Victoria Hospital at Ajmere which is a very well-equipped hospital, under the Chief Medical Officer's care.

Regarding one other point, I think it was suggested that we ought to have a board of Bengalee visitors for Deoli Camp. I doubt if it is a practical proposition. There is already a board of visitors consisting of Indian gentlemen for the camp who do visit the jail regularly. I think it is going too far and perhaps it is rather difficult for the board of visitors from Bengal to go periodically to Deoli, which is a long way off, and visit these detenus. Judging from the reports we have just received from Mr. Abdur Rahim as to the attention paid by the non-official visitors to detenus in certain jails, I wonder whether visitors from Bengal would be anxious to go to Deoli——

Mr. NARENDRA KUMAR BASU: To such a healthy place, I think everybody would like to go.

The Hon'ble Mr. R. N. REID: I think that is all that I have to say on these particular motions.

Mr. SYAMAPROSAD MOOKERJEE: May I ask the Hon'ble Member a question? The Hon'ble Member has said in his reply that he is unable to place those recommendations of the Conference before the House for consideration. Would it be possible for the Hon'ble Member to consider whether those resolutions could be placed before some non-official members of the House or the Jails Standing Committee for discussion?

The Hon'ble Mr. R. N. REID: I shall be very glad to place them before the Jails Standing Committee to have their advice.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

(The time-limit for the discussion of the head was reached and the guillotine was applied.)

Mr. Shanti Shekhareswar Ray's motion being put, a division was taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Absar.
Ghose, Dr. Amulya Ratan.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprosad.
Nag, Babu Suh Lal.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Raut, Babu Hemanta.

NOES.

Ahmad, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Armstrong, Mr. W. L.
Ashwarth, Mr. C. G.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barman, Babu Promhari.
Barma, Rai Sahib Panchanan.
Basir Uddin, Khan bahib Maulvi Mahammed.
Bose, Mr. S. M.
Battamley, Mr. J. M.
Bora, Mr. H. N.
Chaudhuri, Khan Bahadur Maulvi Allmuzzaman.
Chaudhuri, Khan Bahadur Maulvi Nafizar Rahman.
Chaudhuri, Dr. Jagendra Chandra.
Chawdhury, Maulvi Abdul Ghani.
Cohen, Mr. D. J.
Das, Rai Bahadur Kamini Kumar.
Dutt, Mr. S. S.
Edgley, Mr. N. G. A.
Eusufji, Maulvi Nur Rahman Khan.
Faraqui, the Han'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ghose, the Han'ble Sir Ghara Chander.
Ghuznavi, the Han'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildnar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Guha, Babu Protulla Kumar.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. S. P.
Hossain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Razzur Rahman.
Maguire, Mr. L. T.
Martin, Mr. C. M.
Miller, Mr. C. C.
Mitter, Mr. S. C.
Mitra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Han'ble Mr. Khwaja.
Norton, Mr. H. R.
Quasem, Maulvi Abul.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdar-.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chawdhary, Mr. K. C.
Reid, the Han'ble Mr. R. N.
Ray, the Han'ble Sir Bijoy Prasad Singh.
Ray, Mr. Baikunthar Singh.
Ray, Mr. Sarat Kumar.
Sahana, Babu Satya Kishor.
Sarkar, Rai Bahadur Rabati Mahan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. S. R.
Steven, Mr. J. W. R.
Tawsend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Han'ble Mr. J. A.

"Ayes" being 14 and the "Noes" 68, the motion was lost.

The two motions of Dr. Amulya Ratan Ghose were then put and lost.

The main demand under head "25—Jails and convict settlements" was then put and agreed to.

DEMAND FOR GRANT.

26—Police.

The Hon'ble Mr. R. N. REID: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,08,30,000 be granted for expenditure under the head "26—Police."

I do not intend to take up much of the time of the House in moving this demand, but I want to explain one or two points. If you refer to page 64 of the Red Book it will be seen that there is an increase of Rs. 1,56,000 in the estimate for the next year as compared with the revised estimate for the current year. I am taking the figure for the whole of the demand, both voted and non-voted. The revised estimate was Rs. 2,23,09,000 and the estimate for 1934-35 is Rs. 2,24,65,000. This increase of Rs. 1,56,000 is mainly due to the fact that we have to make provision for a full year for temporary staff which was entertained at various times during the current year in order to meet the necessities imposed upon us by the terrorist movement.

I would like to point out a few figures in connection with the budget estimates and these are as follows:—

Taking the year 1929-30, the actual expenditure on the police was Rs. 2,09,16,000. Now, the estimate for 1934-35, as I have said just now, is Rs. 2,24,65,000. This increase is, I may say, due to the subversive movement to which the province has been a victim during the last four years and mainly to the terrorist movement. I have had some figures prepared which distinguish what may be called the normal police expenditure and which show, as compared with that, the extra expenditure which has been imposed upon us by the necessity of taking special measures to deal with the terrorist movement. At the risk of boring the House, I would read out some of the figures: I would start with the actuals of 1929-30. In that year the actuals were Rs. 2,09,16,000; then in 1930-31 an extra expenditure on account of the revolutionary movement and the civil disobedience movement was imposed on us to the tune of Rs. 14,61,000: in 1931-32 the extra amount incurred for this purpose was Rs. 15,39,000 which, again, in 1932-33 it was Rs. 20,26,000. Then the budget estimate for 1933-34 was Rs. 23,76,000. But the revised estimate reduced that to Rs. 21,83,000 and finally in the budget estimate for 1934-35 we get an extra expenditure on this account to the extent of Rs. 22,12,000: that is to say, it comes to this, that on our normal expenditure on police, if we subtract that extra expenditure (I am taking the budget figures for 1934-35), *viz.*, the estimated expenditure of Rs. 22,12,000 from the whole budget estimate for 1934-35, we get the figure of Rs. 2,02,53,000, which we may term the normal police expenditure

for the coming year. If we compare that figure with the actuals of 1929-30, which is the year before all our trouble began, we get a difference of Rs. 6,63,000, that is to say, the normal police expenditure budgeted for the year 1934-35, is estimated at Rs. 6,63,000 less than the actuals of the year 1929-30. Sir, figures are proverbially things that one can juggle with, but I think they give a fair picture of the actual state of affairs, and I can claim that it does show that Government has made endeavours to keep the normal police expenditure within reasonable bounds and that in fact they have been successful in reducing the expenditure in some respects. This is borne out also by the figures which deal with the actual police establishment. For instance, in 1929 the permanent police establishment, that is to say, the number of men on the permanent staff, including the Eastern Frontier Rifles, was 31,213. In 1933 the total was 30,836; it is not a very big difference, but it is a difference, and it is a difference on the right side. On the other hand, you must face the fact that our temporary staff has had to be very largely increased. The temporary staff, for instance, in the Calcutta Police in 1929 was 18, whereas in 1933 it was 245; similarly, in the Bengal Police the temporary staff in 1929 was 779 and in 1933 it was 3,153: that temporary staff was required mainly for the Intelligence Branch that we have mainly to depend to combat the revolutionary movement. They have done extraordinarily good work in bringing the revolutionary movement, so far as police action can go, under a great measure of control, and we owe them a great debt of gratitude for all their efforts. Those of you who have read the Resolution on the Annual Report of the Police Department for 1932 will have seen that Government are determined that so long as the revolutionary movement continues Government will continue to support the Intelligence Branch in all its reasonable demands in order to combat the terrorist movement. Then I said, Sir, that we owe a great debt of gratitude for the work that the police have done in unravelling terrorist conspiracies in the different parts of the province, I must also say that we also owe a great debt of gratitude to the whole of the Police Force for the work that they have done under very dangerous circumstances.

The House will no doubt have read the accounts of retrenchment made by Government in regard to the police mentioned among other heads of the budget in the Red Book; pages 14-15 deals with police, and it will be seen that the ultimate savings which have been agreed to up till now are Rs. 3,78,000. The main savings are due to reductions in two main branches of the police, viz., Railway Police and River Police. The Railway Police reduction has been made by abolishing a certain number of railway police-stations and by reducing the staff to a considerable extent and abolishing all the District Detective Departments, which formerly existed, except those in Howrah and the 24-Parganas which it is necessary, I think for fairly obvious

reasons, to retain. There is no reference to the River Police in this book, because the retrenchments which have been decided upon in that respect have since been the subject of decision of Government. The scheme is not yet finally completed, and there are a certain number of other comparatively subsidiary matters to be agreed and decided upon in regard to some matter which concerns particularly the jute industry—in the jute trade at certain times of the year. The jute trade has represented that they want protection in the way of patrolling, and so on, in the jute season, and Government are considering whether they can meet them in this respect, while at the same time carrying out those reductions in the establishment of the River Police which have been practically decided upon. The main scheme of retrenchment in the matter of the River Police is to amalgamate the hitherto separate River Police staff with the local district staff, and the scheme involves a reduction in the superior supervising staff. The total saving on this account is expected to be very nearly a lakh of rupees, and I hope we shall be able to finally decide upon the form which this scheme should take and to put the scheme into working order. I think it would be clear from these decisions that Government is alive to the necessity of making retrenchment wherever possible even in these times when one could quite reasonably claim that reduction in the police staff is perhaps dangerous and difficult to carry out. I do not think I need draw the attention of the House to any more points in connection with this motion, as there are a large number of cut motions which will allow the House to discuss the "Police" budget in greater detail.

MOTIONS FOR REDUCTION OR REFUSAL.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 26,39,500 uder the head "26A—Presidency Police—Calcutta Police—Pay of establishment" be reduced by Rs. 100 (to replace European sergeants by Indians).

Sir, I had been tabling this identical motion for the last two or three years in this Council as a resolution of public interest, but unfortunately I had no chance to have a say on this matter on those occasions as the ballot was against me. Fortunately this time I have got the chance of giving expression to my views about this particular aspect of the question. The first time that I had tabled this motion I was asked by many young men of Bengal of all castes and creeds about the prospect of the motion. They were so eager to have this motion passed so as to get an assurance or even a ray of hope regarding the prospect of this motion that they repeatedly insisted on the motion being discussed, but they were disappointed as the matter did not come up for discussion in the Council on previous occasions. We want to Indianise that portion of the police staff which is now the monopoly of the Europeans by the replacement of Indians—whether

they be Muhammadans, or Hindus or Christians, or to whatever religious faith they may belong. I do not know why the sergeants should be recruited only from the European community or at the best from the Anglo-Indian community. Sir, I do not know what special disqualifications we, the Indian, have got to enter these services. Sir, from the time the Bengalee Battalion was formed and the Bengalees joined the military services and subsequently disbanded, there is a strong desire amongst youngmen of Bengal to join the Military Service and as they could not do that, they at least want to join the Police Service and take the place of the European sergeants. If that is not done, I think able-bodied, strong and healthy young men who are trying to find some jobs—as they are suffering from unemployment and as it is said that the idle brain is the devils' workshop—may go astray and join the terrorist movement or some other subversive movement. I do not say that they do so, but there is likelihood of their doing so. If these young men are taken to fill up the place of the European sergeants, at least to some extent—though it may be to a very small extent—the question of unemployment in our own country may be solved.

There is another point: We can save a lot of money if we employ Indians in place of Europeans in the police staff. The sergeants in the Bengal Police get a monthly salary ranging from Rs. 175 to Rs. 225 and in the Calcutta Police they get a salary of Rs. 200 to Rs. 250 a month and the sub-inspectors of police whose grade, I think, is higher than those of the sergeants, get Rs. 80 to Rs. 120 in the Bengal Police and Rs. 150 to Rs. 200 in the Calcutta Police. If you take the case of the inspectors they also do not get much higher pay than their subordinates—sergeants—that is, the inspectors get Rs. 175 to Rs. 300 in the Calcutta Police and Rs. 250 as maximum in the Bengal Police. The assistant sub-inspectors get Rs. 30 to Rs. 40 in the Bengal Police and Rs. 30 to Rs. 50 in the Calcutta Police. I have stated these figures just to give an idea to the members of this House how cheaply we can get policemen if we recruit them from amongst Indians instead of Europeans. If we have to maintain a staff of sergeants from the Europeans as we are now doing, we will have to spend enormously. With this deficit budget, I ask in all seriousness the members of this House, whether they are Muhammadans or non-official Europeans or even Bengalees, I mean Hindus, whether it will be wise at this stage to spend this huge sum of money for the maintenance of a staff of European sergeants whereas we can save a lot of money, although I have not calculated upon the amount of money that will be saved, but it will be certainly something over a lakh of rupees, if we can take Indian sergeants instead of these European sergeants. There is no question of nationality in this, but it is a question of pure economy when we are suffering for want of money in several other respects. We are suffering from malaria, from

tuberculosis, from the scourge of cholera and small-pox and Government cannot provide for the prevention or for the treatment of these maladies. In spite of all this, if we have to maintain this luxury of European sergeants in this country at a huge cost and that too by borrowing money, it will be nothing but a condemnation of any civilised nation in the world. Then, again, if the question of the dealings of these European sergeants are considered I must say, without any fear of contradiction, that these European sergeants deal in a manner which is not acceptable to the public at large. These foreigners do not know the mentality, the customs and ways of the people of this country and they cannot serve the Indian people with as much courtesy as could be expected from Indian officers or Indian sergeants. Sir, in the past we have heard and we know of various complaints against these European sergeants—how they have treated even the ladies who in their patriotic fervour joined the civil disobedience movement. We also know how these European sergeants treated the young men who joined the non-violent civil disobedience movement during the last two or three years. These questions were discussed so many times on the floor of this House that we have very bitter experience of the dealings and the ways of their treatment of the Indian public. There is always the superiority complex, as they call it, in the European sergeants. Though they are in the service of the people, they cannot forget this, because of their complexion and the nationality to which they belong. It is for that reason they cannot treat properly the Indian public. They always think themselves that they are in a superior position. They forget that they have come here to serve the people and they have their sustenance from the money provided by the people. They forget this and that is why we have experienced so much bad dealings in the hands of these European sergeants. I do not say that every European sergeant has been treating the people roughly, but there are instances *galore* where European sergeants have been treating the Indian public very badly. There are also posts of sergeants who have very little work to do. We see here in this Council and in the surroundings that the European sergeants have got no work to do. If this force of sergeants is Indianised, what harm can there be? (A VOICE: "Nothing.") Government have always said that they endeavour sincerely to Indianise every service as far as possible. I want to know how far they have endeavoured to sincerely Indianise this department? I do not know whether they have done anything in this respect. I, therefore, strongly urge upon the members of this House to consider this question seriously, because it is high time to think and remedy this state of affairs when we the Indians, children of the soil, should be dying of starvation, suffering from unemployment and foreigners should come and enjoy their huge salaries. I, therefore, commend my motion to the acceptance of the House.

Mr. SHANTI SHEKHARESWAR RAY: I rise to support my friend Dr. Ghose. Sir, it is the declared policy of the Parliament, as you will find in the Preamble of the Government of India Act, to provide for increased number of Indians in the Indian administration. But I feel, so far as the Government of Bengal is concerned, they have failed to accept and carry out this policy in the matter of Indianisation of this branch of the Police Service—I mean the European sergeants in Calcutta. Sir, this is not a new subject. We have discussed the subject more than once in this House, and we have pressed our views before the Government. Well, the attitude of the Government has been most unreasonable. They have also the bogey for us of communal disturbances in connection with the employment of European sergeants in Calcutta. Fortunately, Sir, there has been no communal disturbance for the last ten years or so, at least communal disturbance of a serious nature. But, Sir, I do not know whether we are going to have communal disturbance in the near future in order to justify the attitude of the Government in this matter. Sir, I think that by the lapse of time that bogey is going to lose all its force. Sir, we are told that the European sergeants are necessary in order to deal with a certain class of people. We do not know what class of people they are intended to deal with. Sir, we generally find them posted at street corners or at crossings in addition to the traffic police, so either the traffic police is inefficient or these sergeants are superfluous. Why do you place so many persons on duty when you can get the work done by only the traffic police or by the sergeants? Sir, I shall not deal with the racial aspect of the question to-day, because it is very difficult to impress upon the present Government that it is not desirable to appoint these people on racial grounds—at least to this branch of Government service reserved for a particular community. I would have no objection if the Government of Bengal made an attempt to introduce a certain number of Indians to this force—I mean the people of Bengal—for the sort of work for which the European sergeants are indispensible. By the failure to do that, the Government have exposed themselves to very serious charges, that is, of showing partiality to one particular community at the cost of the rest of the people. My friend Dr. Ghose has rightly levelled the charge that these people—the European sergeants—are highly paid, whereas you can get similar type of men from this province on a much lesser scale of pay, and then also I would press on the Government the desirability of recruiting as many Anglo-Indians in the force instead of the discharged soldiers, because the Anglo-Indians who have settled in this province are certainly one of us, and we can have no objection to their employment, and I find a large number of them are out of employment because they cannot get suitable services. But instead of employing them, you just employ discharged soldiers in the force. Why do you do that? Can't

you send them back to their native country? Sir, there is very little to speak on this subject as this has been discussed on many occasions, and I again ask the Government to take serious notice of the feeling of the people on the matter and accept for there is still time, our suggestions and begin taking suitable Bengalees into the force, so that the charge may not be levelled later on, when the Government will pass from the hands of irresponsible bureaucracy to the hands of the representatives of people, that suitable men were available and could be employed.

Mr. P. BANERJI: Sir, personally I feel that we would like to have rather European sergeants than the Indian sergeants for the simple reason that we would like to have European servants not only in this but also in other departments. But, it has been pointed out by Mr. Shanti Shekhareswar Ray that the time is not yet ripe for it, and when we have the freedom of the country, then only we will consider that question, and we will not grudge any European employed under us. That is a different matter. Now if Government always think that they are doing justice to the people—at least a section of the people—we fail to understand what reason there can be that for a particular department the services of these sergeants will be absolutely recruited from a particular community. For what reason may I inquire? There is a good deal of force in the argument of Dr. Ghose when he says, and we also feel, that you should not appoint those persons to look after the interest of the people who have no interest in the land. The result has been that their treatment has always been harsh. Though their business is to look after the peace and tranquility of the country, they always disturb it for the simple reason that they feel they have no interest in the country. They feel that they have come to make their pockets full of money. But if a person of this country is appointed, he might be an Anglo-Indian, Christian, or Muhammadan or Hindu, what will be the result? They will refuse to be harsh to the people, because they know that after retirement they will have to settle in the same country, and they will consider many times before taking any such action. I again say that very harsh treatment has been done to the people during the civil disobedience movement by the members of this police. Therefore, Sir, it is now time that this matter should be considered. We have no objection as to what sort of person and from what community these class of people may be taken. If the Hon'ble Home Member has any objection in taking the Anglo-Indian, let some of the Europeans may be appointed to protect their own homes. But so far as the public is concerned, why should you give chances only to Europeans. Let there be Anglo-Indians and let there be Indians also in this department. There is a great deal of force in the arguments advanced by Mr. Shanti Shekhareswar Ray, and I support him.

The Hon'ble Mr. R. N. REID: Sir, I am sure we must all be very glad that Dr. Ghose has got this opportunity of airing his views, upon the Calcutta Police sergeants, though I must say that it would perhaps be showing more consideration in this House if he had contented himself with reading the proceedings of 1933, on this very subject. He was a member of this House then, but possibly, on account of his professional duties he could not attend the Council on the day on which this point was discussed. However, be that as it may, as the speakers have all said, this is an old question. There is nothing new that could be added. But what I can say is that it came up last year when it was thoroughly discussed. If I remember aright, Mr. Shanti Shekhareswar Ray made a longer speech than he has considered it enough to give us to-day. The real answer to the suggestion that we should Indianise the force of European sergeants in Calcutta was given by my predecessor last year. He explained that Calcutta is a cosmopolitan city, where all classes of people live, not Bengalees alone, but all sorts of people, from the rest of India and foreigners as well, and to deal with that kind of cosmopolitan population it is necessary that we want this class of officers. European sergeants or, as they used to be called, European constables, are no new thing in Calcutta. The Police Commission decided that they were necessary, and they are no less necessary to-day than they have been in the past.

As regards the point of unemployment, it is said that by employing persons of this country as Calcutta Police sergeants instead of Europeans you will be solving the question of unemployment. But there are only 255 European sergeants in the Calcutta Police Force, and I do not think that that would go very far in solving the question of unemployment.

I wish we could share Mr. Shanti Shekhareswar Ray's optimism about the question of communal trouble. He said that there has been no communal trouble during the last ten years. But that hardly coincides with facts, because in 1926 we had serious riots in Calcutta and, if I remember aright, there was a very great and insistent demand from the people of North Calcutta for the services of European sergeants or soldiers to guard the houses of the inhabitants of the locality. There has been no serious communal outbreak in Calcutta in recent years, but only last year in the *mufassal*, at Beldanga, we had a serious outbreak in which people lost their lives. It is no good blinking at the facts. Communal trouble is capable of breaking out at any moment; we must take precautions beforehand, and there is every justification for keeping on this particular class of force. It is not facing the facts to call communal trouble a bogey—it is a very real bogey—to which we cannot shut our eyes. I do not think it is necessary to deal longer with the subject which has been

thoroughly discussed previously, and I am sure the House is anxious to get on to other matters which possibly deal with perhaps more important matters than this well-worn subject.

I beg to oppose the motion.

Mr. W. L. ARMSTRONG: Dr. Ghose started by saying that it was not a question of nationality—this question of the transfer of the posts from Europeans to Indians. He spoke of the superiority complex among the European sergeants; but superiority complex there is and there must always be, just as a soldier in his uniform feels it, and unless he feels it he will at once be kicked out. It is astonishing what effect superiority complex has. It exists as well in the Metropolitan Police, and you cannot take any liberty with them. One thing that has been mentioned is the question of neutrality. You have the neutral body of men to protect you during serious communal riots. There have been serious riots in the last ten years. Members will remember that some years ago there was a trouble in the Kidderpore Dock and the Sikh drivers would have been murdered wholesale unless there were the European sergeants. At one time the late Mr. C. R. Das used his influence to bring an end to this trouble, but still it continued for the supposed grievance of a young kiddy being slaughtered at the King George's Dock for the success of the construction. I am very glad that the Anglo-Indians in this case have received recognition from Mr. Roy. Coming as it does from him, I am sure that it is very good indeed that he has appreciated the services of the large body of Anglo-Indians who hold these posts. As to men recruited from the army, I consider a spell of life in the army to be absolutely suitable for police work. It has been mentioned that there is wastage, because there is an Indian traffic police as also a European sergeant on duty. You cannot expect to control the traffic without having both of them on duty. If there is a little trouble, the traffic policeman is sure to be called, and if he has to leave his post, what would happen to the traffic unless there are both of them? About the acts of cruelty mentioned by the previous speakers, I do not think I need say more except that I know of the most exceptional cruelty on the part of the Indian Police—I know there has been a case in court, a case of rape which was not done by a European sergeant but an Indian policeman. You cannot control in an efficient manner the traffic and other police work in Calcutta without the help of the European sergeants, and I consider it would be a very bad practice to remove them.

Dr. Amulya Ratan Ghose's motion was then put and lost.

Mr. P. BANERJI: I beg to move that the demand of Rs. 33,20,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 100.

It is just to say a few words about the traffic management in the city of Calcutta that I move this motion. First of all I must congratulate the Hon'ble Member for the steps he has taken to remove some of the grievances which I discussed very elaborately last time about the corruption practised in route No. 5. Now that grievance has been removed. In this connection, I must also recall the help that has been given by the Bengal Bus Syndicate. That Syndicate has put one starter there with the facilities given by the department, and the result has been that corruption near the Ochterloney Monument opposite the Curzon Park has been put a stop to. On this account I have to congratulate the Hon'ble Member, but at the same time I must say that if the Hon'ble Member will take similar steps in all directions the whole corruption will be stopped. I think that there is some grievance somewhere, and I will mention that. There are many different routes in Calcutta. Excepting routes Nos. 12 and 12B, in all the routes the buses have joined the Syndicate and the monthly system has been introduced. A time-table is kept, and each bus is allowed to start at an interval of two or three minutes. If Government will co-operate with the Bus Syndicate and give them all facilities, I am confident whatever grievances there still exist will be removed. With these words I commend my motion.

Khan Bahadur Maulvi AZIZUL HAQUE: I would not have taken any part in this debate but for the fact that I find that almost every day we have been hearing of charges of corruption against public servants in a manner which I think ought to be taken notice of. I do not deny the legitimate demand of this Council, but surely I feel that it is not proper that a general charge of bribery and corruption should be levelled against any public service unless there is certain definite allegation which can be brought to the notice of the authorities. I do not wish to use any harsh expression, but I do feel that unless all possible legitimate measures are taken, it would be suicidal for the future political development of the country if there is this tendency to bring about a general charge against any particular service.

Maulvi ABUL QUASEM: Sir, I am sorry to hear Khan Bahadur Azizul Haque speaking in the strain he has done, but I speak from experience when I say that bribery and corruption do prevail in this country in almost every branch of administration. In the Police Department particularly bribery is rampant. It is exceedingly difficult for private individuals to bring home to a particular officer the charge of corruption. If Government had a secret service to spy upon misdeeds of their officers things would come to light which would be simply shocking. It is idle to expect private individuals, particularly the poor people, to bring to the notice of Government

instances of corruption and bribery on the part of their officers. Everyone knows that bribery and corruption is the rule of the day both in the *mufassal* and in Calcutta, and people are forced to take recourse to bribery and corruption in order to purchase peace.

The Hon'ble Mr. R. N. REID: On a point of order. The motion which we are discussing refers to Calcutta Police. I do not know whether the member is in order referring to police generally.

Mr. PRESIDENT: I think he is replying to the comments made by the Khan Bahadur.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of personal explanation. What I said I did not say as a general proposition.

Mr. PRESIDENT: But there is no denying the fact that your remarks were of a general character. However, there is no use in pursuing it any further.

Maulvi ABUL QUASEM: However, it is very difficult to prove those charges. I think it is the duty of Government to take note that bribery and corruption do prevail in this country and Government should be on its guard and should take strong and effective measures to see that these practices are put a stop to.

Dr. AMULYA RATAN GHOSE: I also had not much intention to speak on this motion, but I am provoked to speak after the speech of the Public Prosecutor of Krishnagar, Khan Bahadur Azizul Haque.

Khan Bahadur Maulvi AZIZUL HAQUE: It is better to have some qualifications than no qualification.

Dr. AMULYA RATAN GHOSE: I think it is certainly better to be void of all qualifications than to have bad qualification, if not, the worst qualifications. Regarding traffic management both in Calcutta and in the *mufassal* I think it is very bad. The management of the traffic mainly depends upon the money that the owners of the buses, the carts and others can pay. One private getleman in his car will have to wait, whereas a lorry-driver will be allowed to pass on because he pays regularly. About the carters the less said the better. I can show, if any gentleman will come along with me and I can challenge Khan Bahadur Azizul Haque to come along with me, how bribery and corruption are going on.

Khan Bahadur Maulvi AZIZUL HAQUE: I do not consider it worthwhile.

Dr. AMULYA RATAN GHOSE: Because in that you could not but be convinced that bribery and corruption does prevail. I can show any gentleman who would care to come with me how bribery is going on and how the traffic in Calcutta is badly managed. In every street corner there is a constable and he employs a *chokra* and the *chokra* takes the bribe from the cartmen; if the cartmen do not pay, they will be challaned. I believe this is known to the higher police officials. It is regrettable that instead of removing these evils they try to impute motives on the members of the public whose sincerety no one can question. As regards the management of buses, everyone knows that the buses are always overcrowded. What does the police do? Why do they not see and prevent from taking more than the required number of passengers and also control the speed? There are so many cases of accidents occurring every day that it is necessary to regulate the speed. If the traffic management were good, there would not have been so many cases of death daily. These are glaring facts which will go to show that the traffic management is anything but satisfactory.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I had no mind to speak on this motion, but the speech of Dr. Amulya Ratan Ghose has provoked me to do so. Dr. Ghose said that street accidents are due to the negligence of the traffic police. I may point out that accidents generally take place where there are no traffic constables, and had there been no traffic police at all, there would have been any number of accidents, and I can say without hesitation that the traffic management is done nicely by the traffic police. Sir, it is not a fact, as suggested by Dr. Ghose, that bus and lorries are allowed to pass and private cars are detained by the traffic police. I myself have occasions to go round the streets of Calcutta often, and I have never seen such detention of private cars, and I do not think that this unnecessary accusation will go towards helping the Government in any way or to improve the traffic management. He should make some constructive suggestions and show some concrete case of negligence or mismanagement on the part of the traffic police, and should not make such vague and wild allegations; that is not good.

Maulvi ABUL KASEM: Sir, a good many umbrageous speakers have been brought into the arena by the speech of Khan Bahadur Azizul Haque. My friend Maulvi Abul Quasem has made a general remark about corruption among Government servants.

Mr. PRESIDENT: You need not go into that.

Maulvi ABUL KASEM: Whatever it is, Sir, I cannot deny nor can anybody deny that any branch of the administration is free from corruption but to say——

Mr. PRESIDENT: Order, order. I have already said that there need be no reference with regard to the general remarks that came from the lips of Khan Bahadur Azizul Haque and Maulvi Abul Quasem: that matter has been closed. You can offer any remark you like with regard to the motion that is now before the House.

Maulvi ABUL KASEM: It is not fair, Sir, to select the police and particularly the traffic police as a target for attack. There are other places much worse——

Mr. PRESIDENT: Leave out "other places" for the present.

Maulvi ABUL KASEM: It has been said that private car-owners do not complain because they cannot prove their case. Dr. Ghose comes forward and says that at any moment he is prepared to prove that corruption is being practised. My question to him and to others who share his view is that let them come forward and prove this corruption. Why have they not done so so long? Why do they not place their grievance before the proper authority for remedy? The proper place for their remedy is to move the authorities at Lalbazar so far as Caclutta is concerned and not this Council Chamber to air their grievances. The second question is that unless some offence can be proved against any man, be he a private individual, a police constable or a sergeant, how and by what means will Government be justified in punishing him? The suggestion has been made that Government should employ detectives to watch these constables and traffic policemen about their work and then in case they are found guilty of corruption, punish them. They are to find out corruption and the people at large would neither take the trouble nor move in the matter: this is not justice and fair play. Thirdly, my friend Dr. Amulya Ratan Ghose says publicly in this House that at every corner of the Calcutta streets cartmen and hackney-carriage drivers have to pay bribe and that the arrangement is that the bribe has to be paid to the *chokra* who stands near the constable. Now, Sir, if that be the case, then the cartmen and hackney-carriage drivers have to pay annas 10 out of their income of, say annas 8. This is absurd on the face of it. Some of these things may be correct, but not about the Calcutta Police, but somewhere else. But with regard to Calcutta these remarks do not hold good. I do not propose to say anything more, as they may be outside the terms of this motion. I oppose the motion, and I have to say that the charges brought against the traffic police in Calcutta are unjustifiable.

The Hon'ble Mr. R. N. REID: Sir, in listening to this debate, two interesting and refreshing features struck me. The first was that Mr. P. Banerji was good enough to congratulate me, or rather my department, on the success that it has achieved in putting down corruption on route No. 5. In fact, his speech generally on this motion was very encouraging. The second feature that must have struck almost everybody here is the extraordinary reluctance of the members to get up and speak on this motion—a reluctance which they overcame however with great fortitude and treated us to their views on the subject of corruption. As regards the speech of the mover, we were discussing this very same thing at a meeting of the Police Standing Committee just the other day and Mr. P. Banerji told us that——

Mr. SHANTI SHEKHARESWAR RAY: On a point of order: Are not the Proceedings of Standing Committees confidential? I got a ruling to this effect from the Chairman of a Standing Committee of which I am a member, the other day.

The Hon'ble Mr. R. N. REID: I am not aware of any such rules, Sir.

Mr. SHANTI SHEKHARESWAR RAY: It was the Hon'ble Mr. Khwaja Nazimuddin, the Education Minister. It is also in the rules, as was pointed out by Mr. Wilkinson.

Mr. PRESIDENT: Mr. Shanti Shekhareswar Ray is right. The rules say that the Proceedings of Standing Committees shall be treated as confidential.

The Hon'ble Mr. R. N. REID: Very well, perhaps I had better not refer these confidential proceedings. But it is a fact anyhow that the Commissioner of Police is very much interested in this question of traffic control and especially about arrangements for the bus traffic, and as we have been told by Mr. P. Banerji success has attended the arrangements made in one particular route to put down corruption and to improve such arrangements generally. I am quite sure that the Commissioner of Police will make every effort to extend those satisfactory arrangements to other routes also. It is a thing which I know he has very much at heart, and I also know that he has received a great deal of assistance from the Bus Syndicate in carrying out these improvements on the bus routes, but there is one difficulty

in the way of this, and it is this, that not all the buses that run on these routes are in the Bus Syndicate.

Dr. Ghose, who has fled, as somebody said just now, talked a great deal about corruption and how he could prove up to the hilt that corruption existed among the traffic police. Well, Sir, I should have thought that if he had such intimate knowledge of the existence of corruption that goes on in the streets of Calcutta, he could very well have placed that knowledge at the disposal of the Commissioner of Police and got something done to remedy the evil. But he has not done so and has told us that it is useless to do so, and therefore I am inclined to think that this statement of his is on a par with the statements he frequently makes, which are perhaps not easy to substantiate. He also said that there has been a great increase in the number of accidents every day owing to this deplorable lack of traffic control. That, too, Sir, is not borne out by the facts of accidents for the last three years, and I think it is worthwhile, by way of vindication of the traffic control of this city, to read out the figures of accidents for the last three years. In 1930, 152 persons were killed and 2,144 injured in street accidents; in 1931, 133 were killed and 2,182 injured and in 1932, the number went down to 114 killed and 1,925 injured. These figures certainly disprove the statement that accidents are going up by leaps and bounds for want of proper traffic control! I do not say that the control is by any means perfect; as a matter of fact, anyone who goes about the streets of Calcutta will see for himself that there is room for improvement, but I do say that the police authorities in Calcutta do not neglect this part of their duties.

As for the question of corruption, there again, various speakers have pointed out the difficulties. Mr. Quasem, not the member for Burdwan but the other Mr. Quasem, said that it was perfectly useless for anybody to complain as it would merely be inviting trouble on one's self and would achieve no good results. He seems to think that the only way to check it is for Government to put on a special detective staff to go round and watch the traffic police. I cannot quite follow his argument. He seems to think that it is useless to bring up specific cases of corruption to the notice of the authorities, because that, he fears, would achieve no object. If there is a general system of corruption going on among the traffic police, as he would have us believe, surely that system of corruption is made up of a series of individual acts of corruption and surely if you nail one of such acts to the counter, you are doing more good than by simply saying that the whole force is corrupted and you can do a nothing. The only thing that, so far as I can see, a gentleman in his position or anyone who knows of such cases or sees cases of bribery going on should do, is to report at once to the right authorities, and if they do not take up such cases or if the members think that the police would not

listen, then to come to me and I should be only too glad to try and remedy the state of affairs; but I do not think that this defeatist attitude can at all appeal to anyone in this House. Therefore, I do hope that any member who knows of cases of corruption will bring them to the notice of the right authorities and persist in seeing that some steps are taken in the matter, because Government do not and obviously cannot wish corruption to go on; indeed, they will not tolerate the existence of bribery among their officers and subordinate whose duty it is to check it.

Mr. P. Banerji's motion was then put and lost.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Maulvi SYED MAJID BAKSH: Sir, I beg to move that the demand of Rs. 82,300 under the head "26A—Presidency Police—Pay of officers" be reduced by Rs. 100.

Sir, in my speech on the general discussion of the budget I pointed out that it is the police that is eating up most of our sustenance and that unless we have economy under this head—a drastic economy—as much economy as is possible, without impairing the efficiency of the force, we shall have to face deficit budgets. Sir, in this connection, I would like to refer to the Green Book which has been furnished to us. In that book we find that the pay of officers is shown as Rs. 82,300 (voted). We all know that very high salaries are paid to superior police officers, for example the Commissioner of Police, Calcutta, gets Rs. 2,400 per mensem. There are 15 Deputy and Assistant Commissioners who draw salaries ranging from Rs. 475 to Rs. 1,450 per month, and so forth. I think that in these days of deficit budgets we should curtail the expenditure as much as possible. I do not think that it will lower the efficiency of these officers if the pay is reduced to a reasonable amount. My principal grivance is against the waste that is going on under the heading "Pay of establishment." We find that there are 56 inspectors drawing Rs. 350 and less per month; 100 sub-inspectors drawing Rs. 200 and less per month; and 200 sergeants drawing Rs. 245 and less per month. I will not speak anything against the efficiency of the sergeants, as I have already heard much about it. I know full well that they supply grit to the force. But all I can say is that they ought to be able to maintain themselves on a lesser pay—especially in these days of economic depression, when a man's cost of subsistence is very cheap. I would, however, refer to the case of the British Tommy. No one can say that the British Tommy is not as efficient as these sergeants, and still he gets Rs. 127 per mensem. If the British Tommy is prepared to sacrifice his life in cases of emergency on Rs. 127 per

mensem, certainly a sergeant—be he a European, or, as one might say, neither European nor Indian, *i.e.*, Anglo-Indian—ought to be able to maintain himself on the salary of a Tommy. There are many instances which I can go on multiplying, but I do not wish to detain the House longer than what is absolutely necessary. There is sufficient room for economy by cutting down the salaries of police officers in these hard days. As I have already pointed out, Sir, in regard to one or two cases efficiency will not be impaired and that the cost of the police can be brought down to a great extent (*sic.*). Sir, there are other departments of Government which are badly in need of funds, and if this economy could be effected, the sum realised thereby can be diverted to those departments, where it could be more profitably utilised. If the Hon'ble Member would be so good as to examine this question, then drastic economies could be effected. With this hope, Sir, I move my motion.

Maulvi ABUL KASEM: Sir, I do not want to detain the House very long. However much I might appreciate the desire of my friend for economy, I must confess that I do not share his view as regards the analogy between a British soldier and a police sergeant. This analogy is not correct, because, in the first place, the British soldier is here only for a short period and, secondly, many of his expenses are paid by the State and not by himself out of his own pocket. So, his pay does not count much. My friend has persistently remarked that economies should be effected without impairing the efficiency of the police: I fully agree with him and I beg to add that if it can be done it must be done, but I am doubtful whether it can be done at all! But there is one point in which I am in agreement with my friend Maulvi Syed Majid Baksh. This relates to the number of Deputy and Assistant Commissioners of Police. The Deputy Commissioners are in no way more responsible, nor more hard worked, than the Superintendents of Police in the *mufassal*. Take the case of the Superintendent of Police of the 24-Parganas, and let us compare his duties with those of any of the Deputy Commissioners of Police in Calcutta. In the case of the 24-Parganas, the cost of living is as dear and as high as in Calcutta and the work of the Superintendent of Police, Alipore, is more arduous and more responsible than that of any of the Deputy Commissioners of Police of Calcutta; because the District Police, in these days especially, have not only to look after ordinary crimes but also to various kinds of crimes of an anarchical character, whereas in Calcutta they have the advantage of advice and direction from the Commissioner of Police.

I do not think, Sir, that an officer of the rank of the Commissioner of Police, Calcutta, who has such a huge responsibility on his shoulders, is overpaid at Rs. 2,400 per month; and I do not think that you can get an able officer on less than that pay.

Sir, we have talked here too much about police sergeants, constables, etc., but one must not forget that the criminals in the city of Calcutta are more intelligent and more dangerous than those in the *mufassal*, and so we want intelligent, careful, and energetic men to deal with them. Therefore, I agree with the Maulvi Sahib that the salaries of Deputy and Assistant Commissioners of Police should be at par, at any rate, with the salaries of the Superintendents of Police in the *mufassal* (*sic.*). Otherwise, I think the salaries should stand as they are unless we are satisfied that efficiency can be maintained by paying a lower rate to our police officers in the City.

Mr. NARENDRA KUMAR BASU: Sir, I am afraid that the discussion has strayed from the motion tabled by my friend Maulvi Syed Majid Baksh. As far as I can see, Sir, the motion is that the demand of Rs. 84,300 under the head "Presidency Police—Pay of officers" be reduced by Rs. 100. Well, that sum of Rs. 82,300 certainly does not include the pay of the sergeants, because it relates specifically to the "Pay of officers" which is voted. The "Pay of establishment" is Rs. 32,42,850, which includes the pay of the sergeants, etc. Therefore, Sir, I submit that so far as the pay of the sergeants is concerned, it does not come strictly under this motion at all, but, so far as Maulvi Abul Kasem's point is concerned, I regret to observe that both the mover of the motion and Maulvi Abul Quasem have lost sight of one point on page 176, under the heading "Pay of officers," that is "Temporary officers—Rs. 18,300." After the Commissioner we have 15 Deputy and Assistant Commissioners and they between themselves, draw Rs. 1,74,200 per annum. I do not understand why they should have another sum of Rs. 80,300 for next year. It is a matter on which the House has not yet heard any explanation. It is not suggested that 15 Deputy and Assistant Commissioners of Police are not sufficient: if that is so, why are they not shown? I know, Sir, it has been shown here that in 1932-33 there were temporary officers at a cost of Rs. 16,110, and in the present year Rs. 17,500 has been provided for temporary officers. I think, Sir, that it is an absolute waste of money to have temporary officers whose costs are increasing. I think, Sir, that a staff consisting of one Commissioner and 15 Deputy and Assistant Commissioners is quite sufficient. If they are not so, why not say so and have extra officers sanctioned by this Council? To go on spending Rs. 16,000 and Rs. 17,000 yearly for temporary officers, without any reason being assigned for the entertainment of these temporary officers, is, I submit, something the Council have a right to demand an explanation for.

The Hon'ble Mr. R. N. REID: I must confess that Mr. N. K. Basu's points have taken me unawares. I am not in a position to

explain every single detail in the budget. But I am pretty sure what this heading "Temporary officers" must refer to is "Temporary officers" who had to be employed in the Calcutta Police, Special Branch, on account of the revolutionary movement. I cannot think of any other explanation for it. I shall certainly find out what it is, and I regret I cannot give a reasonable answer to Mr. Basu at the moment. As to the motion itself, Sir, on the question of economy it is always difficult to decide the length to which retrenchment can be carried out in the matter of pay, especially in the police. We have heard a great deal to-day about the corruption in the Calcutta Police and no doubt the same consideration applies to the Presidency Police as well. When dealing with this sort of thing, in fact we all know that temptations are forthcoming and there may be individuals who will succumb. Therefore, it is a very grave question as to how far it is possible to reduce their pay without increasing the temptations.

As regards all other officers in the Police Force including the rank of inspectors, they are all subject to the emergency cut of Rs. 5 *per cent.* The whole question of revision of pay generally in Government service is under consideration of Government at present. This revision of pay will not affect the officers already in service, but it will take effect in the case of new entrants, and in future there will certainly be some savings. That is all I can say at the present moment.

As regards the analogy referred to by Maulvi Syed Majid Baksh regarding the Calcutta Police sergeants and British soldiers, I would like to point out that it does not effect the present discussion because the British soldiers get a very large number of things free—rent, clothing, food—which Calcutta Police sergeants do not. I do not think I can deal any further with this particular motion and I beg to oppose it.

Maulvi Syed Majid Baksh's motion was put and lost.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 32,42,850 under the head "26A—Presidency Police—Pay of establishment" be reduced by Rs. 101.

My object in doing so is to call the attention of the House to the urgent need of manning the Police Force by natives of the soil and not with non-Bengalees. Bengal, I believe, is the only province with an alien police—alien in the sense of outsiders, non-nationalists. Some of us have made attempts to draw attention of Government in this matter. This matter was first mooted in 1921-22 when Sir Henry Wheeler told us that as the average pay of a constable was Rs. 16,

Bengalees would not join; but now I believe the pay has been considerably raised, to about Rs. 28 to Rs. 30, with extra allowances, and so I see no reason why Bengalee young men should not come in and join in large numbers should they receive the least encouragement. I am aware, as the Hon'ble Member has told us, that there is no bar to Bengalees being employed in the force, but what I suggest is that there should be active encouragement and preference given to Bengalees. The first reason for this is that it will lead to better relation between the people and the Police Force; a very unfortunate fact is that there is no good feeling, there is no co-operation between the people on the one hand and the police on the other. Whatever the reason is, these facts stare us obviously in the face. But take, for instance, the police in England. They receive great help from the people, and hence I take it that their work is very good. Here, on the other hand, owing to the unfortunate tension between the people on the one hand and the police on the other, I think many cases of crimes go undetected and unchecked. The anarchist movement, I feel sure, will never be checked unless there be active help given to the police by the people at large. It is therefore essential from every point of view that this unfortunate tension should be removed. Otherwise, as I have said, the work of the police will be ineffective and the large sums of money spent on them will be, to a large extent, wasted. The best means I suggest of bringing about this good feeling, this help, between the two would be to have a national police—police manned by our own people. Then there is sure to follow friendly feeling and co-operation between the two, and there will be inevitably better work done by the police and better order and safety. The Bengalees in the Police Force will be in touch with the people and be able to know their habits and thoughts, and they will be far better able to cope with detection and checking of crimes. To me it seems strange that we have to depend upon non-Bengalees to protect our lives and properties. Perhaps we have been sleeping in the past, and this has been due to the inertness of the people to come forward. But now our young men are able to endure hardship—they are active, enterprising and are not afraid of hard work. From another point of view, take the problem of unemployment, any means of giving employment for our young men will mean satisfaction and contentment, and, as I have said, our young men are hardy, enterprising and will, if encouraged, gladly join this force. I draw attention to amendment No. 404 of Babu Amulyadhan Ray, where he wants more appointments for the scheduled castes. I know in these castes there is excellent and splendid stuff to man our police force. If such employments be given to our young men, I am sure there will be plenty of scope for them to show their ability and energy. They can be kept from going wrong. It will not suffice for the Home Member to say that there is no bar. I want him to go very much further; I want him actively

to encourage our young men and I want Bengalees to be given the preference. Sir, a very large amount of money is drained out of Bengal —money which ought to have gone to support our own young men who are victims of unemployment. Bengal, Sir, is very large hearted and liberal, the most liberal amongst all other provinces. Outsiders are free to come here to take their bread from our mouth. I need not elaborate this point except to state the fact that the lot of Bengalees in Bihar is very unhappy. So I desire to press on the Government this policy of giving active encouragement to Bengalees to join this force. This will no doubt ensure harmony and good feeling between the people and the police and at the same time better work will be done. I would suggest that Government should appoint a small committee to settle the details about this matter. I earnestly request Government seriously to examine my suggestion, for I feel sure that if it is adopted, it will lead to considerable improvement in the present political situation.

With these words I commend my motion.

Mr. SHANTI SHEKHARESWAR RAY: I rise to support the motion of Mr. S. M. Bose. Sir, here is another proposal which comes up every year before the House, but is left to itself. Sir, I accuse the Government of neglect of duty towards the people of this province for another year. Last year when this proposal was brought before the House, well, the Hon'ble Member in charge of the department gave us the usual assurance—an assurance that Government would look upon such suggestion with sympathy that they would do all they could, but for the time being they were helpless. There was no sufficient enthusiasm in the province for this sort of work and so the Government of Bengal in despair had to look to other provinces for recruits. Sir, these arguments have been repeated from the Government Benches year after year. We are tired of such arguments, such assurances—assurances which mean nothing. Sir, if the Government had real interest of the people at heart, and I say, Sir, without fear of contradiction that Government are greatly exposed to the charge of being not seriously interested in the matter. They could have done something more than giving out assurances, vague promises, on the floor of the House. Sir, they could have made an effort to create an enthusiasm if there was no enthusiasm in the people for such service. Sir, I do not for a moment accept that the decision of the Government in this matter is correct. There is certainly a desire on the part of the people of this province to enter the Police Service. There is enthusiasm not only to enter Police but also Military Services and this feeling was expressed in an unanimous resolution carried in this House the other day. I do not know what would be the effect of our request if we cannot find any member in

the Police Force taken from our own people. Naturally the Government of India or the military authorities will point out with the finger of scorn and say that a province which cannot find men to serve in a comparatively less hazardous work as that of a police constable, how can it be possible to find men there fit for military service. The real point is not our lack of enthusiasm, or lack of capacity or staying power, but the deliberate policy of the Government of Bengal.

Adjournment.

The Council was then adjourned till 3 p.m. on Tuesday, the 20th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 20th March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 95 nominated and elected members.

Oath or affirmation.

The following member made an oath or affirmation of his allegiance to the Crown:—

Rai Bahadur Mohendra Nath Gupta.

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

26—Police.

MOTIONS FOR REDUCTION OR REFUSAL.

(Mr. Shanti Shekhareswar Ray, who was in possession of the House the previous day, resumed his speech.)

Mr. SHANTI SHEKHARESWAR RAY: Mr. President, Sir, as I was telling the House yesterday that the Government of Bengal have not only failed to encourage recruitment of Bengalees in the Police Service, but recently there has been a development of a rather serious nature. I refer to an announcement recently made by the Inspector-General of Police. It was stated in that announcement that it had been decided not to recruit members of the *Namasudra* community to the Police Force or, to be more correct, to the Armed Branch of the Police Force. In that announcement absolutely no reason was given, and the public in Bengal up to this time have no knowledge as regards the reasons which have compelled Government to come to such a

decision. Sir, why should a particular section of the people of Bengal be thus debarred from service under Government? Why should the Government make this discrimination and this disability? Sir, the general impression is that the members of the *Namasudra* community are the best fitted to join the Police Service in Bengal. I hope the Hon'ble Member in charge of the Police portfolio will be able to convince this House and the public outside that recruitment from the members of the *Namasudra* community is undesirable. I should resist the temptation of using hard words unnecessarily, but the situation has come to such a pass in this connection that I cannot help but making a certain amount of unpleasant criticisms. Sir, the attitude that has all along been taken by Government and by a certain school of thought in this country has been that a particular service must be kept reserved for a particular community. For instance, hitherto, it was consistently stated in season and out of season that Indians were unfit to hold certain posts—posts in the Secretariat, especially those in the Political Department of the Secretariat. This theory has been exploded long ago. There are now many Indian civilians in the province who can hold their own against non-Indian members of that service. Sir, my point is this: Indians given the opportunity and chance can justify their selection in any capacity, either military, civil or police, and can give a good account of themselves in any branch of the administration under the Crown in this country. That being so, any talk of disability—any talk of unfitness, any talk of the lack of administrative capacity—must be abandoned once for all. Sir, I know—and the man in the street knows—that Government are inelastic. They have very little imagination and, I may be pardoned if I say, very little driving power. They cannot now look beyond the four corners of the Secretariat walls. Members of Government are so overburdened with work and so overburdened with the weight of files that they have lost all power of initiation to work out new ideas. Might I ask the Hon'ble Member in charge of the Police portfolio to turn a new leaf and to give a lead in the matter in right earnest? I ask him to carry on a vigorous propaganda in the interest of the recruitment of Bengalees to the Police Service in Bengal. Certainly, the Bengalees—Hindus and Muslims—should have the first preference to other communities in Bengal. You will no doubt admit, Sir, that this desire to be in the service of Government on the part of the Bengalees is but natural. There is a Publicity Officer under the Hon'ble Member. That officer may be asked to prepare pamphlets and posters and, if necessary, with a photograph of the Hon'ble Member in charge of the Police Department, asking the people of the province to join in the constabulary of the Police Force and other Forces of Law and Order. In that pamphlet or poster the terms of the various services of the police may be set forth. Government may appeal to the imagination and patriotism of the people of Bengal and in various other ways they may create an enthusiasm over

the matter. Well, Sir, one of my hon'ble friends somewhere behind me asks if I am willing to act as a recruiting sergeant. I shall be very glad to do the work of recruiting if it helps Government.

Mr. PRESIDENT: Are you prepared to be a constable? (Laughter.)

Mr. SHANTI SHEKHARESWAR RAY: If that helps Government, I am certainly prepared to be a constable. At the same time I would expect the Hon'ble Member to don the police uniform too. I know it is too much to expect of the Hon'ble Member to do that now, but I am sure in the course of a few years from now when the Police portfolio will come into the hands of one of the representatives of the people, he will work on that line. He will try to create enthusiasm among the people of the province to enter into any rank of the Police Force for which they are best fitted. Unless we are able to produce men who can keep internal peace of the province, all talk of responsible Government is a mere sham and an eyewash. Responsible Government cannot function so long as we cannot protect our own hearth and home with the help of men recruited from this province. I would once more appeal to the Hon'ble Member to work on these lines and of course if he does, then he may not be a popular representative of the Government of Bengal and his successor in office in that case will not come in the distant future, but will come in the near future. However, be that as it may, Government have always been telling that this is the last year of their office. That last year has gone more than once like the circus performances in a *mufassal* town, but their last night also comes to an end and the day is not distant enough when the office will be taken over by one of the representatives of the people.

Rai Sahib SARAT CHANDRA BAL: Sir, with reference to what has been said by Mr. Shanti Shekhareswar Ray I wish to say a few words. Of all the castes the *Namasudras* are the bravest and the most courageous and most fitted to serve in the Special Armed Force. I know that an attempt was made for preventing *Namasudras* to join that branch of the Police Force and that there was a Government report about it. As a member of the Police Standing Committee, I explained the situation to Government, and I succeeded in convincing them to issue a circular asking the district authorities to recruit the *Namasudras* in the Special Armed Force. I am, however, astonished to learn to-day that there has been another circular preventing the *Namasudras* to join the Special Armed Force. I fail to understand what led the Government to issue such a circular. I know the circumstances under which *Namasudras* were recruited. At the time of the last civil disobedience movement it was thought fit by the Government that *Namasudra* young men should be recruited to the Armed Police Force. I have personal

knowledge of this, and I fail to understand why they have been debarred now. I hope the Hon'ble Member will be able to explain the situation and will be able to tell us why Government have issued such a circular. I know that there is some officer—I do not want to cite specific instance—who does not care that *Namasudras* should be recruited in the Special Armed Force, because as a class they are more or less in sympathy with the civil disobedience movement. But, Sir, so far as the scheduled caste and specially the *Namasudras* are concerned, I can assure the Hon'ble Member in charge that they kept aloof from the civil disobedience movement and they showed their active support to Government by joining the Special Armed Force. They helped Government at a critical time, and is it a sort of reward that they are now debarred from joining the Armed Force?

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I rise in support of the motion moved by my friend Mr. S. M. Bose. For reasons best known to Government the door for entrance into the army has been banged against the Bengalees on the plea that they do not fall under the category of martial race. In the matter of appointment of policemen, it has been the set policy of Government to exclude the children of the soil on the plea that suitable candidates satisfying the prescribed standards of fitness are not forthcoming. The Bengalees are on these flimsy grounds excluded from entering into the army and constabulary of the country. I verily believe that given the opportunities and the necessary training the Bengalees are capable of achieving success in all walks of life. They have given abundant proof of their power of enduring physical strain in the field of battle—constabulary is a far easier task and less risky than to serve in the firing line. Moreover, the present struggle for existence and the problem of unemployment, which have become more tense than ever, have roused in the Bengalee young men a sense of dignity for labour to which they were hitherto averse. Now we find graduate cobblers and graduate newspaper vendors and hawkers of sundry articles. They do not hesitate nowadays to do menial's work to maintain themselves or rather save themselves from death by starvation. Now that the pay of the Calcutta constabulary has been raised, suitable Bengalees will not be wanting to serve as such.

In the constabulary of Bengal, both in Calcutta and outside, non-Bengalees predominated. This state of things should not be allowed to continue any longer. Of course, there was a time when educated Bengalees thought it beneath their dignity to serve in the lower ranks of the Police Service. But now the times have changed. They are eager to accept any job they can get hold of. They have understood the dignity of labour thoroughly. They no longer think it derogatory to do any sort of manual work. It is now, therefore, the paramount duty of Government to provide them with berths whenever and wherever

it was possible to do so. The children of the soil should be given preferential treatment in the matter of appointment to the lower ranks of the police from which they had been long practically excluded. Nobody can deny that they have got the best claim to the public services in their homeland. Moreover, they are more intelligent and clever than the men recruited from Upper India and Bihar. These men speak a different language and are not conversant with local conditions. I had been to other provinces in India, but nowhere I could find foreign element in the Police Service. They were all locally recruited. Even the sergeants of Madras were Madrasis and those of Colombo Singalese. Bengal is perhaps the only province where the lower ranks of the Police Force are generally recruited from outside the province. Government always complained that the public are loth to co-operate. I fail to understand how can they expect co-operation with a non-national police. The unemployment problem is getting very keen day by day, and it is high time for Government to take stock of the realities of the situation and appoint none but the children of the soil in all the services under Government, specially in the Police Service.

Autonomy or rather Constitutional Reforms will be a sham and mockery if the defence of the country is not left to the children of the soil by opening out the door for their entrance into the army and the police.

The Hon'ble Mr. R. N. REID: Sir, this is an old question—as an hon'ble member has just put it, a hardy annual this question regarding recruitment of Bengalees to the Bengal Police. As has been stated so often before, Government are sympathetic to the proposal that Bengalees should be recruited to the lower ranks of the Bengal Police. But it all comes to this: the question is one of employment for which a particular class of persons are most fitted. As has been so often said before, the door is not closed to Bengalees in any sense of the word so far as the employment in the lower ranks is concerned. If they come forward to be recruited as constables they will be taken provided they come up to the requisite standard, physical and otherwise. In point of fact they have not come forward in large numbers, and the fact that they have not come forward seems to show—in spite of what has been said—that there is no great anxiety or enthusiasm on the part of the Bengalees to be employed in the lower ranks of the Bengal Police. On the other hand on the question of suitable men for suitable employment, the fact is that we employ a very large number of Bengalees as officers in the upper subordinate ranks of the police. I have not got recent figures but I find that two years ago out of 65 Inspectors 22 were Bengalees and there were 97 sub-inspectors out of 117 and 137 assistant sub-inspectors out of a total of 152. My point is that for that kind of employment Bengalees are most suited and they do come forward in large numbers to be recruited and I may

also say that they do most excellent service in that particular line of employment. I think that nothing can beat the work that is done by them particularly in these days of dangerous work which has been done against terrorists—nothing can beat the work of the Bengalee sub-inspectors, assistant sub-inspectors of police. I think that shows that there is no attempt to keep the Bengalees out of employment. It is only the question of the kind of police work for which they are most suited. I fail to see how Government can very well go much further than they do at present in their attempt to obtain Bengalee recruits in the suitable ranks of the police. If there is this tremendous enthusiasm for being recruited in the lower ranks, there is not the slightest difficulty in being recruited. But if the enthusiasm is not there I find it very difficult how we can do anything about it. Mr. Shanti Shekhareswar Ray drew an entertaining picture of the future Minister going about in the *mufassal* after donning the uniform of a policeman leading recruiting parties for enlisting in the police force. He, however, did not tell us how his work at headquarters is going to be carried on. Perhaps he differs from me in thinking that there is a certain class of employment which is suited to a certain class of persons.

As regards the question of recruitment of Namasudras into the armed force, it was found after a long-continued and exhaustive experiment that they were unsuited. As the Rai Sahib has told us the first time that an attempt was made to recruit Namasudras into the armed force was in 1930, and I think the late Mr. Lowman made a great effort to recruit this class of men to the armed branch and they were tried. The report of the first year or two were not very favourable and the experience of experienced police officers who had the work of training and employing these men was not favourable to them. Government, however, decided that they should be given a further trial and the experiment was carried on for a year or two longer. It was finally decided—as a reference to the police report of 1932 will show—to give it up. That is to say Government found that it was not worth their while to employ this particular class of men in the special armed police. It does not mean, however, that Namasudras are excluded from joining the unarmed branch, and supposing a Namasudra is recruited in the unarmed branch and after a time is thought fit for the armed branch, there is no reason why he should not go into it. The Rai Sahib asked for the reason as to why they are prevented from entering the armed branch. It is rather invidious to state reasons on a point like this, because it means what Mr. Shanti Shekhareswar Ray would perhaps describe as "hard words" and I do not want to hurt anyone's feelings. But the fact is that the main difficulty that was found—and I deny in passing that there is any prejudice among police officers against this particular community—that they were not so amenable to discipline

as other classes of men who are recruited for the armed branch and that is a very serious difficulty and a difficulty which cannot be overlooked. I need not go into details but actually there were serious cases which I need not go into details but actually there were serious cases which desirable to continue recruitment from the *Namasudra* class. Surely Government could not be justified in employing a particular class in a kind of employment for which they are not fitted and by employing them in which the public would not be getting full value for their money. But as I have said before that does not prevent men of this particular community from being employed in other branches of the service and making good.

I do not think I need add any more to what I have already said except that I would emphasise once more Government have no wish—no idea of excluding Bengalees from any branch of the service to which they are fitted by education and by their other qualities. If they do not come forward to be enlisted as constables, then the only deduction that one can reasonably make is that they are not very keen to do so. But surely if members of this House are convinced that there is great keenness among young men at the present day to join the police force at the bottom then surely it is easy for them to go round the country and induce them to come forward. Then if they are passed by doctors and other officers they can easily be enlisted in the force.

Mr. S. M. BOSE: Sir, after hearing the Hon'ble Member, may I with your permission withdraw the motion.

The motion was then by leave of the House withdrawn.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 10,000 under the head "26A—Presidency Police—Charges for Rescue Home for Girls" be reduced by Re. 1 (need for more homes).

My object in moving this motion is to call attention to the totally inadequate grant made for rescue homes. I believe that only the sum of Rs. 10,000 has been provided in the budget for this purpose; I submit that having regard to the great need for such homes for girls, the amount should have been much larger. At present I believe there are only two homes: one is the Govinda Kumar Home and another home has just been started by the All-Bengal Women's Association in Dum Dum. The Association have, I believe, raised a large sum of money by private donations and they have already opened an after-care Home in Dum-Dum. We all know, Sir, that one or two homes for the whole of Bengal for the rescue work of girls is absolutely inadequate and insufficient. Sir, as we all know, the Immoral Traffic Act was passed only last year, but the Act cannot be enforced unless we have homes for the rescued girls; otherwise, where are these girls

to be housed and where are they to be lodged and how can they be properly looked after? So, for these reasons, I submit that the amount provided for in the budget is absolutely insufficient and a larger sum should be allotted for this purpose.

Babu JATINDRA NATH BASU: I support Mr. S. M. Bose's motion. It is one of the duties of Government to see that provisions are made by law for the protection of girls and women who are forced to be instruments of what is ordinarily known as immoral traffic, and that their interests should be properly looked after and protected. It must be said that steps so far taken by Government in the way of providing homes where rescued girls and women might be housed and trained to be decent citizens, have been very few and wholly inadequate to the requirements. In other countries there are strong endeavours on the part of those concerned in the administration of the country to see that these women and girls are properly looked after. In many cases they are helpless and there is none to look after them unless the State looks after them. No doubt there are attempts on the part of the public to help in the matter. In fact the Greaves Home which was originally located in a rented house at Dum-Dum ultimately developed into the Govinda Kumar Home as a result of a gift from a private individual for the housing of rescued girls. Then there were some subscriptions raised for the maintenance of that home but, Sir, the requirements are very large and the number of homes is wholly inadequate to house all the girls that require protection. I trust that Goverment after the passing of the Suppression of Immoral Traffic Act will lay down a regular policy as in the case of the location of the Calcutta police-stations, the housing scheme in respect of which was adopted 14 years ago so that the whole of the Calcutta Police is now being housed in buildings owned by the State. These buildings were gradually erected and not all at once. So I trust that with regard to this problem also the same kind of scheme will be adopted which will result in a considerable number of homes being established, not immediately perhaps, but gradually, so that the requirements of society in this respect may be properly attended to.

The Hon'ble Mr. R. N. REID: Sir, this is a motion to raise the question of the inadequate number of rescue homes for girls in Calcutta; that is to say, homes where girls can be put after being rescued by the police or otherwise, under the terms of the Immoral Traffic Act of 1923 and 1933. I think, if I remember aright, that during the discussion of the 1933 Bill the whole trend of the discussion was and, in fact Mr. J. N. Basu himself made that point, that it was of great importance to get people interested in securing the assistance of the public and it was emphasized I think from all sides of the

House that this was a matter which depended for its success on the assistance of the benevolent public, rather than on the actual working of a cut and dried Act, or the implementing of such an Act by Government servants and, if I remember aright, the Government gave its support to the Bill on the assumption that any system of rescue homes should in the main depend on the benevolence of the public. Actually Government maintain one home and that as a means of intermediate custody before orders can be passed under the Act and the girls can be sent to some other privately maintained home. In fact it was recognised that the 1933 Act without any system of homes would be practically unworkable and in spite of the fact that even then Government were in a serious financial position it was agreed that one rescue home should be maintained where these girls could be sent in the first instance, when they were rescued by the police and before they could be sent to some other home. But the financial assistance which Government thus provide is not confined to the maintenance of this one single rescue home, established by Government. Government also give a considerable amount of grants to three other homes and also to the Society for the Protection of Children in India. The Govind Kumar Home which was referred to just now, received in 1932 a capitation grant of Rs. 14,539. It has a capacity for 95 girls. The Salvation Army Women's Industrial Home for Girls in Entally, received a capitation grant of nearly Rs. 4,000 in 1932 and a maintenance grant of Rs. 1,200; it takes in 75 girls. There is also the Fendall Home in Upper Circular Road which received in 1932 a maintenance grant of Rs. 960, and I think I am correct in saying that grants of the same amount were distributed by Government in 1933 as well. So that my point really is this: that Government does go a considerable way in providing funds for this very excellent purpose and under the present conditions I think, it can be claimed for them that that is really going far enough, considering their difficult financial position and considering the fact that rescue work is a work which far more appropriately and suitably can be carried on and much better carried on by private benevolent persons interested in rescue work and having a natural aptitude for it. So I venture to think that it can hardly be expected that Government can go very much farther at the present moment in providing more rescue homes and in embarking upon what might probably involve large expenditure. In view of these remarks, Sir, I hope the mover will withdraw his motion.

Mr. S. M. Bose's motion was then by leave of the House withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 42,63,000 under the head "26A—Presidency Police" be reduced by Rs. 2,24,600.

I hope, Sir, by moving this motion I shall give the Hon'ble the Home Member an opportunity to tell the House to what he was evidently not prepared for last night. This sum of Rs. 2,24,600 is made up of three items as follows:—

Rs. 18,300—Temporary officers (voted) under "Pay of officers", page 176 of the budget.

Rs. 31,300—Temporary establishment under "Pay of establishment", page 176 of the budget.

Rs. 1,75,000—Temporary force under "Pay of establishment", page 177 of the budget.

I would like to know how and why these three items find their place in the budget.

The Hon'ble Mr. R. N. REID: I am sorry, Sir, to have to disappoint Mr. N. K. Basu again. I am not very familiar with the details which make up this demand but I can only say that this question must deal with the temporary force engaged in dealing with anti-terrorist work. I have not got all the facts with me now but can give them to Mr. Basu for his satisfaction afterwards if he likes, as it is useless for me to try to explain them at this stage.

The motion was put and lost.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 42,63,000 under the head "26A—Presidency Police" be reduced by Rs. 100 on account of enhancement of expenditure.

Sir, I beg to draw the attention of the House to the progressive enhancement of expenditure under "Presidency Police". If the members of the House will turn to page 174 of the green book they will find how the increase is really progressing from Rs. 42,46,000 in 1932-33 to Rs. 42,21,500 in the present year—I mean voted portion of it—and budget for the next year Rs. 42,63,000. We have been assured times without number in this House that so far as the civil disobedience movement is concerned it is practically suspended at the present moment and we have also heard that though there may be a lot of work necessary for administering the different Acts, for instance the Bengal Criminal Law Amendment Act, in the *mufassal*, so far as the Calcutta Police is concerned that work has not materially increased. Under these circumstances I do not think personally that the ground given at page 65 of the red book that increased provision for increments that will be earned by the staff mainly accounts for the increase in the estimate for 1934-35 is justified. The word mainly is rather a difficult one to define. It may be that what appears to the Hon'ble Member to be the main ground of increase—I mean the main ratio of increase

—is not really the main increase at all. You will find that under the head "Presidency Police" including Superintendence—Calcutta Police, Port Police, cattle pounds, hospital charges and so forth, the increase on account of progressive increase of pay would not come to more than, at the outside, a sum of Rs. 50,000. The "Pay of officers" has increased from Rs. 80,400 to Rs. 82,300 that is only about Rs. 1,900; and the pay of establishment from Rs. 31,95,000 to Rs. 32,42,850, a total of about Rs. 48,000 but the main increase must be on account of other heads. I would like to know why this progressive increase has been taking place when we do find that the duties of the police so far as the detection and investigation of ordinary crimes are decreasing in the same proportion as the pay and expenditure are increasing. The police, as we all know, are much too busy in looking for and hunting after terrorists and alleged terrorists than in investigating ordinary crimes that is those which do not even by any stretch of imagination come under the terrorist category. In these circumstances, I submit, that there is no reason for this increased expenditure year after year.

Mr. S. M. BOSE: Sir, I wish to support this motion. I find that the amount budgeted for next year is going up. Under the head "Presidency Police (voted)" the actuals of 1929-30 were Rs. 40,69,500; in 1930-31 they were Rs. 44,90,000; in 1931-32 the actual expenditure was Rs. 43,61,000; in 1932-33 it was Rs. 43,62,000. In our revised estimate for this year we find the figure Rs. 42,21,500 and the estimate under this head for next year is Rs. 42,63,000; so that the estimated expenditure for next year is over Rs. 41,500 more than the revised estimate for 1933-34. I really do not understand why. It appears from the red book that it is intended to employ additional staff during the coming year. Again I do not understand the need for this. I should have thought that our highest expenditure has already been reached, and now that the civil disobedience movement has gone, our expenditure would have come down. Sir, only the other day, Government passed a new measure—I mean the Bengal Criminal Law Amendment Act—with the hope that this would to a large extent enable them to cope with the anarchical movement. If that be so, additional expenditure during the next year ought not to be necessary. Of course, we all agree that law and order has to be maintained and we also know from what the Hon'ble Finance Member has said, that the end of the next year the total Bill for unrest would be about Rs. 1,73,000 or more. We all know that. What we fail to understand is why additional funds should be voted for next year?

The Hon'ble Mr. R. N. REID: Sir, I must confess that I find it rather difficult to reply to these criticisms without having all the details at my fingers' ends. But the red book gives explanations and the one explanation which Mr. N. K. Basu quoted was that increased provisions

for increments that will be earned by the staff mainly accounts for the increase in the estimate for 1934-35. I should like to go into that question further in order to satisfy myself. I find there is an increase of Rs. 75,000 under the head "Pay of establishment." That is accounted for an increase in the salaries.

The other reason for increase in expenditure is, as I explained the other day, that extra staff has had to be engaged during the past year and this extra staff will have to be so employed during the next year and so full provision has been made for this staff. Mr. S. M. Bose has referred to the new Act which has recently been passed by this House and seemed to be under the impression that this Act would produce immediate results and thus reduce the costs on extra staff. Sir, whether the new Act would result in a reduction in staff, and therefore in expenditure, we cannot say at present; but I am afraid that a considerable time must elapse before we can say whether we are really going to get into position. It is only when the position improves and is a great deal better than what it is now, that we shall be able to relax our efforts and reduce our staff. The Government have certain duties to the public and they have got to maintain a force sufficient to maintain the law and order in the country and to protect the public. I am afraid that I cannot give a more detailed answer to this particular question offhand and I would only say that I shall look into the thing as early as I can. I hope this will satisfy Mr. N. K. Basu. Sir, I oppose the motion.

Mr. Narendra Kumar Basu's motion being put a division was taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Abdul Ghani.
Choudhury, Maulvi Nurul Absar.
Ghose, Dr. Amulya Ratan.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Mookerjee, Mr. Syamaprosad.
Nag, Babu Suh Lal.
Poddar, Seth Hanuman Prosad.
Quasem, Maulvi Abul.
Rai Mahasai, Maulndra Deb.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Nagni.
Roy, Babu Haribansa.
Ray, Mr. Sarat Kumar.
Samad, Maulvi Abdus.
Shah, Maulvi Abdul Hamid.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Bal, Rai Sahib Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bazir Uddin, Khan Sahib Maulvi Mohammed.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Dutt, Mr. S. S.
Edgley, Mr. R. G. A.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ghose, the Hon'ble Sir Charu Chunder.

Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildaar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Guha, Mr. P. R.
Gupta, Rai Bahadur Mahendra Nath.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.
Karim, Maulvi Abdul.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Maguire, Mr. L. T.
Martin, Mr. C. M.
Mitter, Mr. S. C.
Mittra, Babu Sarat Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Reverend S. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Nicholl, Mr. C. K.
Norton, Mr. H. R.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Mr. K. C.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Saileswar Singh.
Roy Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. B. R.
Sumner, Mr. C. R.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 24 and "Noes" 52, the motion was lost.

Maulvi ABUL KASEM: I beg to move that the demand of Rs. 42,63,000 under the head "26A—Presidency Police" be reduced by Rs. 100 (charging the cost of the Presidency Police to provincial revenue).

This, Sir, is a token cut to express the opinion of the House for charging the cost of the Presidency Police on Bengal revenue. If I may be permitted to use a hackneyed phrase I might say that this is one of my hardy annuals; and if I have brought this motion again and again it is because I think that by perseverance and persistence I would get a verdict which reasoning, fair-play and justice demand. Calcutta is a great city, a very important city and its affairs have to be looked upon by very efficient policemen. So far I agree, but there is no justification to charge the revenues of Bengal for the maintenance of a costly and magnificent police service in Calcutta. Only yesterday the Hon'ble Mr. Reid was pleased to observe that Calcutta is a cosmopolitan city and it is inhabited not only by Europeans and Indians of Bengal but by people from various provinces. I therefore demand, Sir, that the expenses of the police should be paid by the people of the cosmopolitan city of Calcutta and not by the poor cultivators of Bengal. The cost shown in the budget as cost of the Presidency Police is Rs. 46 lakhs and a few thousands, but, Sir, the actual cost is much more, for it does not include the capital expenditure and the interest and the sinking fund paid on account of the capital expenditure that has been incurred by Government for the quarters of the Calcutta policemen as well as for the police-stations. The first time I moved this motion it was received with great hostility from non-official benches and I found that I appealed to an unsympathetic jury. But there was a saving clause in it. The Hon'ble Sir Arthur Moberly speaking on behalf of

the Treasury Benches said that because everybody was opposed, he on behalf of Government was pleased to remark that so far as the Treasury Bench was concerned, they would consider the case very favourably if the non-official members so desire, and since then I have been moving it year after year although with improved result but not satisfactory result. This time, Sir, I am glad to find that in this motion I am joined by two of my stalwart friends. I would remind the House again that the rural population of Bengal is the bread-winner of the family and the whole province depends on the labour of the cultivators. But at the same time they were the most neglected members of the family.

Sir, we have been charged and are being charged with the expenses of the costly police and I may remind the House that Bengal revenues have also paid princely sums—I may call them donations—to the Calcutta Improvement Trust because we are told that Calcutta has a large population Calcutta is the capital city of India and it ought to be a beautiful city. I admit that it should be so, but what I want is that we should neither be made to pay for the grandeur nor for the beauty nor for the Police of Calcutta. Sir, the Presidency Police is absolutely necessary for the people of Calcutta but not for the rural population.

Again, Sir, speaking about the much maligned traffic police if they were not in Calcutta I do not know what would have been the conditions of my friends when walking in the streets of Calcutta and those going about in their cars. As a cosmopolitan city it has of course good points and bad points. But like the city of London—I mean the greater London Calcutta is the refuge of criminals from various parts of the province and it is very necessary for the protection of the life and property of the people living in Calcutta to have an efficient and up-to-date police, but there is no reason why the poor tenants and cultivators of the rural Bengal are to be flayed and flayed alive. Sir, we are only villagers: what property have we got—a few bunches of plantain and a few cocoanuts or a maund or two of paddy and to protect these we have policemen known as *chaukidars*. Government says—look here, for the protection of your property we have engaged policemen and *chaukidars*, you must pay for them: when you want the services of policemen for the protection of your property you must pay for them. But that is not the actual state of things. We have to pay for the big people who are running Rolls Royce and enjoying other luxuries of the city life: always colliding with bullock carts or for the matter of that with tram cars: they must be protected at any cost and they should not be asked to pay. They are wealthy people and for wealthy and prosperous people of Calcutta the poor must suffer, just as for the benefit of the big mill-owners of Bombay, the whole population of India will have to suffer because they have to pay ten times more than what they were paying

for the ordinary necessities of life; so for the benefit of the great merchant princes as well as the wealthy *zemindars* of Calcutta the rural population of Bengal must subscribe. If the people of Calcutta want wider roads, wider streets and other amenities of city life they must pay for it. But the position is that the people of Calcutta must have wider roads because it is Calcutta, the city of palaces, and therefore Bengal must pay; and the cultivators of Bengal must pay taxes to the Improvement Trust, for good traffic of Calcutta and for the detection of crimes in Calcutta. May I inquire, Sir, from the Treasury Benches what is Calcutta's contribution towards the provincial revenue? It is negligible, nominal and absolutely nothing not even a few thousands — very small. The Calcutta people of course pay income tax: that in the first place goes to the Government of India and in the second place the income is earned outside Bengal and not in Bengal; and the only other sources of revenue from Calcutta, excepting land revenue, is excise revenue and that is all. But we people of Bengal pay a heavy land revenue, much higher than Calcutta. At the same time we have to pay for other things also and pay for our *chaukidars*. Well, Sir, it is not fair — it is not justice. At the present moment I may say very little is being done: after the affair is finished Government have realised that something must be done for the rural population and they have now taken steps; but they have got remedies in the hands of conferences and committees: the conferences and committees have sat and discussed but the real question is who is to pay the piper, to improve the economic distress and improve the conditions of the rural areas. We are poor people and we do not want much. We want water for drinking: water for irrigation, drainage and communication for carrying goods to the market. We do not want either Eden Garden or Botanical Gardens but what we want is poor and simple living. Poor villagers as we are we cannot get drinking water because there is no money: our irrigation is ineffective because there is no money: how can you improve your agriculture: we suffer from malaria because there is no drainage and there is no money. But here is money which is unjustly taken from Bengal revenues and spent over the city of Calcutta. Sir, it is not only unfair, but I say it is unjust and almost criminal to ask the people of Bengal to contribute for the maintenance of the Presidency Police. We the poor people of the *mufassal* when come in and go out of Calcutta have to pay tax liberally to the Improvement Trust. Government in the time of Sir Author Moberly was more sympathetic; if I remember aright in his time other municipal towns were included and he considered the situation favourable.

Now, Sir, the expenditure is nearly Rs. 76 lakhs and not Rs. 42 lakhs as stated because the capital expenditure is shown in the Public Works Department budget. This money should be devoted solely, fairly and equitably for the sanitation, communication and drainage of the

rural areas. You say you have no money. We do not know from where you will get money but all the same it is required for the benefits of the rural people. If the Corporation is asked to pay for the Police, they will demand the control of the police. You may by legislation or by executive order—I am not well conversed in these matters—ask the municipality to contribuate or in the alternative to raise a tax from the residents of Calcutta and those who come to Calcutta will have to pay it, because they enjoy the luxury and benefits of Calcutta life. A friend of mine told me the other day: you people come to Calcutta and enjoy the advantages of Calcutta life; then why should you not pay? I admit that so far as myself and people like me are concerned, we should pay because, as I have said before, when we come to Calcutta we enjoy the amenities of the city. But I may tell my friends here that 99 *per cent.* of the rural people never come to Calcutta at all and never enjoy the benefits of Calcutta, and still the earnings of their hard work are taxed. The Zacharia Street, Burrabazar and Clive Street can well afford to pay 50 to 60 lakhs a year for the maintenance of this magnificent city. You cannot have a Commissioner of Police on a less salary than what he receives now, because a man like him cannot live on a few oranges and a seer of milk. That is all right, but that is not the question. The question is who are to pay for it. It is the people of Calcutta who ought to pay. The expenditure on the Calcutta Police and the Calcutta Improvement Trust has done us more injury. In the first place, we lose so much money, and in the second place those wealthy people, our *zemindars* finding the rural area not worth living have left them and have come to Calcutta to live here. The result is that the rural areas have been left to poor, uneducated, ill-fed and ill-clad cultivators. I leave it to the justice of the House and for the consideration of Government. It is a fair proposal and it will not do to raise money from rural Bengal by taxing the people. If you want money, tax the people of Calcutta. With these words I commend the motion to the acceptance of the House, and I hope that justice will be given us and that we will not be denied fair play and justice at the hands of the people who in the course of a year or two are expected to rule Bengal.

Mr. P. N. CUHA: Mr. President, Sir, this is a position which has been raised off and on to draw the attention of the Government to the necessity of distributing the Provincial revenue fairly and equitably We know all about the benefit that the Province as a whole derives from the metropolis and we know everything about the lead and light that the rural areas get from the metropolis. In fact there is no country in the world in which the rural areas do not get large benefit from the metropolis and from that point of view I agree that the people living in rural areas should contribute something to the upkeep of the metropolis. It therefore stands to reason that Bengal as a whole

should contribute to maintain an efficient Police force in Calcutta, but that is no reason why the people of Calcutta themselves should not pay anything at all for the upkeep of their Police force. I shall presently show that Calcutta pays nothing for its Police and the whole burden is on the shoulders of the people of the rural areas.

Sir, the Hon'ble the Finance Member told us the other day that the Province derives its revenue mainly from five sources and they are, Land, Excise, Registration, Forests and Stamps. Of these five, land revenue is directly contributed to the exchequer of the Government by every man living in Bengal including those who live in Calcutta, but my friend Maulvi Abul Kasem has already shown that the land revenue realised in Calcutta proper is almost negligible and even insignificant portion of the expenses for the Presidency Police cannot be met from that. The people of Calcutta however pay much more in the shape of rates and taxes, but the pity of the situation is that not a single pie out of such rates and taxes paid goes to the Government of Bengal. Rates paid by the owners and occupiers of the houses in Calcutta proper amount to something over two crores of rupees annually, but each and every pice goes to the Calcutta Corporation. Then Sir, a huge sum is annually paid by the people of Calcutta in the shape of income-tax and the whole amount goes to the Government of India. It will be realised that the payments, I should say heavy payments, made by the people of Calcutta go to the Calcutta Corporation and the Government of India, but none of them contributes a pice towards the cost of the Presidency Police. The Government of Bengal have not only to maintain an efficient Police force, but they are to spend a lot for Calcutta in various other directions such as the maintenance of a good many miles of roads, a good maidan and several other amenities, but not being the subject matter of the motion under discussion, I will not refer to them further.

Sir, in dealing with the demand for the appointment of the Bengalis in the Police force of the Presidency town, the Hon'ble Mr. Reid said that Calcutta was not a Bengali town. It is inhabited by men and women belonging to every race and every country in the world and so it is a cosmopolitan town. We agree and ask in turn why should the people of Bengal be so heavily taxed for the upkeep of a town which is not a Bengali one? Why should the Province as a whole pay for a costly police which is necessary to look after not the Bengalis alone but a cosmopolitan people? Mr. Reid said that there were 252 sergeants in the Calcutta Police, but no one need overlook the fact that there is not a single sergeant anywhere in rural Bengal. So we are to pay for 252 sergeants and as many *sowars* necessary to keep a cosmopolitan people under control. Is that fair? I feel that the revenue paid by rural Bengal is being unjustly utilised at the Presidency town. There would have been some justification of taxing the rural people if they had not been paying anything in any shape for the benefit of

Calcutta. My friend, Maulvi Abul Kasem, has shown how the people are being taxed for the improvement of Calcutta and I think in the very near future they will have to pay more for the construction of the Howrah Bridge. So it cannot be said that rural Bengal has not been paying sufficiently for Calcutta.

Sir, I beg to submit that the Government should no longer spend money out of the Provincial revenue for the maintenance of a costly Presidency Police and they should turn their eyes to the residents of Calcutta for the purpose of raising a sufficient fund. It is for the Government to decide if a direct Police tax should be imposed or the Corporation of Calcutta should be asked to find the money. I have no experience of the foreign countries, but my impression is that the County Councils make a contribution towards the maintenance of the police of a country. Similar procedure can easily be followed here. Sir, this question was brought to the front when Sir Arthur Moberly asked the Council to vote a few lakhs of rupees for the thana buildings in Calcutta, and he said that the Government would have no objection in bringing up a measure for the separation of the Police of the village and urban areas. I think it is high time for doing something in that direction.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I move the motion that stands in my name but in a slightly different standpoint from the motion moved by my friend Mr. Abul Kasem, that is to say not exactly on the general terms in which it has been moved by him.

Mr. PRESIDENT: But that motion has already been moved. You need not, therefore, move yours; but you may choose your own line of argument.

Khan Bahadur Maulvi AZIZUL HAQUE: Yes, Sir. I look at it from a slightly different point of view. At this stage I may remind the Hon'ble Member in charge that the subject is a very old one, much older than it is ordinarily considered to be. At the time when the municipal and local self-governing institutions were strengthened by Lord Ripon the question of responsibility for the police charges as between Government and the Calcutta Corporation was the subject matter of an elaborate discussion in 1882-88 and it was in that year, when the matter was finally settled that the Government of India in very clear terms laid down that a time might come when the city of Calcutta might once more be called upon to levy police rates. Discussing the subject the Government of India made it definitely clear that although the Calcutta Corporation was being relieved of its responsibility and the citizens of Calcutta were not being required to pay for police charges this question might be taken up later on, and it was in that understanding that the rate which was imposed ever since the year

1867 on the Calcutta Corporation to maintain a part of its police duties was given to the Calcutta Corporation on the understanding that a sum of Rs. 3 lakhs would be spent by the Corporation in the development of the sanitation of the added areas. I might say here that at that time the total cost of the police was roughly about three lakhs and a few thousands, but to-day it has come to about Rs. 45,00,000. The whole question was again reviewed in the time of Sir Henry Wheeler when the Calcutta Police Administration Report made a suggestion as to whether it was not time to enter into a discussion on that subject, and in the year 1921 Mr. Ajoy Chandra Dutt moved a resolution in the Bengal Legislative Council on that subject and in pursuance of that resolution the Government of Bengal appointed a committee which is now known as the Police Rate Committee. That Committee definitely went into the whole question and though, as regards the imposition of a police rate in Calcutta, they could not come to a unanimous conclusion as to the *modus operandi*, the majority opinion was that the Calcutta Corporation and the citizens of Calcutta should be made to pay a certain amount of the police charges for the maintenance of the costly Calcutta Police. At this stage, Sir, I might say that my standpoint is not that the entire cost of the Presidency Police should be charged upon the Calcutta Corporation or upon the citizens of Calcutta. I hope the citizens of Calcutta would be glad for this small mercy and I certainly feel that if this principle is accepted the question of deciding the rate developing might be discussed later on. If any contribution were to be made by the Calcutta Corporation for the purpose of maintaining this high police expenditure, I feel that we will be making some headway towards the solution of the problem, leaving the future to adjust itself later on. Sir, the nature of the work which the Calcutta Police has to do so far as the locality of Calcutta is concerned, will be apparent from the fact that a particular section is maintained in the Calcutta Police which is known as the City Architect Section and its duty is to assist the City Architect in finding out illegal construction of houses and helping the City Architect and the Calcutta Corporation in maintaining the building regulations. That, Sir, is certainly a charge which the revenues of Bengal should not bear. The Traffic Police, the Mounted Police, the Pass Department, the Lost Property Office, the Passport Office, the Public Vehicles Department of the Calcutta Police have to do duties the cost of which should be fairly and fully met from the Calcutta Corporation, or from the citizens of Calcutta.

The question of the allocation of funds was very carefully inquired into by this Committee which was appointed in 1921 and against their decision there was not even a single minute of dissent except on minor matters. They decided that so far as the Port Police was concerned, it should not be charged upon the city of Calcutta since the Commissioners of the Port met seven-tenths of the charges under that head.

The charge for administration should be divided half and half, Investigation—three-fourths Calcutta and one-fourth provincial; patrol—to be entirely local; police courts—4 parts local and one part provincial; armed police—one-third provincial and two-thirds local; traffic police—four-fifths local and one-fifth provincial; mounted police—four-fifths to Calcutta and the rest to the province; guards—will be entirely provincial charges; escorts and orderlies—half and half; reserve—half and half as between the province and the city; Criminal Investigation Department—3 parts local and one part provincial. Now, Sir, that Committee was presided over by Mr. Bompas and Rai Ramtaran Banerji Bahadur, Rai Radha Charan Pal Bahadur, Mr. A. C. Dutt and Mr. Upendra Lal Roy and Khan Bahadur K. M. Azam were its members. The Deputy Chairman of the Calcutta Corporation sent in a note as regards details and the Commissioner of Police very thoroughly went into the whole question. But what I beg to point out is that the development of the Calcutta Police as regards its cost has come to be such that, while not long ago it cost Rs. 21 lakhs it now costs Rs. 43,00,000. Now, Sir, there must be a limit up to which the provincial revenues should pay the cost of the Calcutta Police and it is there that I beg to draw the attention of the Hon'ble Member to the fact that the rural people have to pay about Rs. 60 lakhs or to be exact, Rs. 57,00,000 for the maintenance of their village chowkidars. If the nature of the duties of the Calcutta Police was the same as that of the *mufassal* police I could have understood that. But it will be admitted that the work of the Calcutta Police is not of a particularly local character owing to the fact of Calcutta being what it is, the citizens of Calcutta might not unjustly be required to pay. Sir, in a question like this one is bound to bring in many controversial points and I already find the Reverend Mr. Nag is anxious to jump up for an opportunity of making known his views. I know, Sir, that such a question will raise controversial points, but I would earnestly appeal to my friend not to look at the question as a question between Calcutta and the *mufassal* but on the clear ground whether the charge for the Calcutta Police should not be met partly by the citizens of Calcutta and partly from provincial revenues. Sir, if I were a whole-hogger and asked that the entire charge should be met by the citizens of Calcutta, I might be blamed, but I am modest in my demand and I propose that a part of the cost only should be met by the Calcutta Corporation. Sir, I may remind the honourable members that the province of Bengal has not grudged to pay large amounts of money for the development of Calcutta and Bengal is as much proud of Calcutta as anybody else. Bengal has certainly taken its proper place but that point should not be stretched too far to the breaking point. I may remind my friends that the Bengal Government has met the recurring expenditure in the shape of Calcutta house-building scheme for which Rs. 15 lakhs has been spent already and even in this year, if I am not mistaken, original

capital construction proposals are before the Legislative Council and my friend Mr. P. N. Guha reminds me that the Howrah Bridge construction is in the interest of Government. But, Sir, if you look to the bridges which have been constructed under the auspices of the Irrigation Department, namely, the bridges at Narkeldanga, Ultadanga, Alipur and Chitpore, you will find that the province of Bengal had to pay Rs. 50 lakhs within the last few years. The Calcutta Improvement Trust annually gets a sum of Rs. 1,50,000 from Government and even in this deficit budget this Government have had to pay that sum in addition to the contribution which the Trust gets for goods and traffic that get in and out of Calcutta. The Glanders and Farcy Department to which attention was drawn very specifically by the Retrenchment Committee is still a charge upon provincial revenues, even though the nature of the work is such that it should be purely of a local character. Then, Sir, in the *mufassal* the Outdoor department of a hospital has to be maintained by the people whereas in Calcutta, so far as an Outdoor department is concerned—I am not for a moment referring to the Indoor section, which is properly and legitimately a provincial charge—so far as the Outdoor departments in hospitals in Calcutta are concerned the cost incurred there is charged entirely on provincial revenues. We do not grudge Calcutta all these things, and I must say that when I brought this motion my object was that only a part of the expenditure on the Calcutta Police should be met by the citizens of Calcutta. But I have not for a moment said that the entire charge should be paid by the citizens of Calcutta. I may, Sir, in conclusion assure my friends that I do not intend this motion to be taken as a question of Calcutta *versus mufassal* but purely as a question of principle, by which we feel that the time has come when the question of allocation of funds should be very carefully looked into, so that a solution may be arrived at, in regard to the expenditure on the Calcutta Police. As I have already said Calcutta had a police rate before. And if this city is relieved of the police rate, it stands to reason that the question of the development of Calcutta should be the concern of the local people, because the development of Calcutta was such a necessity that the Government of India and the Government of Bengal thought that the Calcutta Corporation ought to pay for looking after its sanitation, etc. Sir, times are changing, the system of Government is changing also. I beg to draw the attention of every member of this House to the fact which I have enumerated as to whether at the present time Calcutta ought not to pay at least a part of the expenditure.

Mr. NARENDRA KUMAR BASU: Sir, in rising to speak on this motion I am afraid that both the mover of the resolution and Mr. P. N. Guha and also my esteemed friend Khan Bahadur Abdul Momin indulged in confused thinking. Sir, it has been stated firstly, that Calcutta pays no land revenue and that the major portion of the income comes

from the rural areas and therefore the provincial revenues ought not to pay for the whole or part of the Calcutta Police. As my friend Mr. P. N. Guha has pointed out, the main heads of the revenues of Bengal are land revenue, excise, stamps, forests and registration. Sir, I concede for the sake of argument that Calcutta does not pay any land revenue but at the same time I may point out that the excise revenue is about Rs. 1,50,00,000—I will take the mean figure only—and of the stamps about Rs. 3,00,00,000 and I take it that a large portion of this is paid by Calcutta. Secondly I would like to know whether there are any figures in the possession of Government to show how, and in what proportion, Calcutta pays towards the various heads of revenue. Sir, there is also another point of view as to whether in financing the Calcutta Police Government is doing it for the benefit of the people of Calcutta that is to say the permanent residents of Calcutta or for the people of the province as a whole. When we hear of the bridges, railways and other things I wonder whether the speakers considered that so far as trade and commerce is concerned, trade and commerce certainly benefit the people of Calcutta as much as they do the rural areas. If there were no rural area to which goods can be sent or from which goods come to Calcutta or which have no connection with Calcutta I do not think trade and commerce would flourish in Calcutta. Sir, when we are talking of the export and import trade of Calcutta helping Calcutta alone we are, I submit, guilty of confused thinking. Then again it has been pointed out that the *mufassal* is taxed to the tune of Rs. 50,00,000 on account of chaukidari police. Sir, if my hon'ble friends would kindly look at the budget they would find that the entire police budget amounts to Rs. 2,06,00,000 and out of this Rs. 42,00,000 is for the Presidency Police. Therefore the ratio of police expenditure of Calcutta to the rest of Bengal is 1: 4; that is one-fifth is spent for the Calcutta Police and four-fifths for the Bengal Police. So far as Calcutta is concerned, Sir, we have just had the edifying spectacle of this House rejecting the cut of Rs. 100 for the purpose of economising expenditure in the Presidency Police, that is the representatives of the *mufassal* helped to have that rejected. I submit, Sir, it does not lie in their mouths to say that we shall not reduce expenditure on the Calcutta Police but we shall delete the expenditure altogether so far as the provincial revenues are concerned. Sir, I submit, that in no part of the budget you will find that a differentiation is made in the provisions for expenditure between the funds received from Calcutta and the funds received in the *mufassal*. As one who is temporarily resident in Calcutta but represents a rural area, I submit it does connote a good deal of confused thinking in the talk that because the Bengal revenues as a whole are put down in the income side wherever you find an expenditure which refers to Calcutta alone you think Calcutta must pay for it separately. I am glad to find that my friend Khan Bahadur Maulvi Azizul Haque did not go to that

extreme to which Mr. P. N. Guha and Khan Bahadur M. A. Momin want but I still think that if they could devote their energies to have the expenditure not only on the Presidency Police but on the whole Bengal Police reduced they would have done greater service to the whole of Bengal than by raising this annual cry in the Bengal Legislative Council.

Babu JATINDRA NATH BASU: Mr. President, Sir, it appears that in some quarters there is a tendency to regard Calcutta as something distinct and separate from Bengal, but it is forgotten that Calcutta is as much Bengal as the rest of the province and the necessity of Calcutta in the matter of police administration is as much the concern of the province as that of the inhabitants of Calcutta. (KHAN BAHADUR MUHAMMAD ABDUL MOMIN: "You must pay for it.") Sir, Khan Bahadur Maulvi M. A. Momin says that we must pay for it, that is, Calcutta must pay for its police force. Khan Bahadur M. A. Momin probably has some experience of the Calcutta Police Courts: there he will find that a large porportion of the persons who resort to those courts come from outside Calcutta. Khan Bahadur Maulvi Azizul Haque has referred to the lost property office; if he will kindly go there and make inquiries of the man in charge he will find that it is not the men of Calcutta that have to resort to that office, but that it is mostly those that come from outside Calcutta have to avail of the services of the lost property office. In various other ways, for instance, even in street accidents, you will find that a large number of accidents take place as regards men from outside Calcutta. I have heard from committees of hospitals that a large number of cases even in outdoor dispensaries to which Khan Bahadur Maulvi Azizul Haque was referring come from outside Calcutta because they get certain special facilities in Calcutta for being treated as outdoor patients. This remark applies equally to indoor and outdoor patients. Thus Calcutta supplies all these public institutions for the benefit of the whole of the province.

(Here Maulvi Abul Kasem said something which was inaudible).

If Maulvi Abul Kasem would look up the entries both in the outdoor and indoor registers of hospitals he will find that even in the case of street accidents it is the people from the *mufassal* who predominate. Those who are on the hospital visiting committees know this very well.

Mr. PRESIDENT: Why is it so? Do the people of Calcutta bear a charmed life so far as street accidents go? (Laughter.)

Babu JATINDRA NATH BASU: No, Sir. The reason is that the people of Calcutta are nowhere in Calcutta! The business of Calcutta is to a large extent conducted by people from outside. The reason

is clear: Calcutta is not outside the province of Bengal. It is Benga that has created Calcutta and Calcutta is as much a part of the pro vince as the districts of Burdwan, Nadia and the town of Krishnagar from which my friend Khan Bahadur Maulvi Azizul Haque comes Arguing on the basis of income, which my friend has taken as one of his principal points, I beg to submit that the income of Bengal is one which should be spent on Bengal as a whole inclusive of Calcutta, and it is unreasonable to suggest that the revenues derived from a particular area of the province should be devoted entirely for that area. If his argument is pushed to its logical conclusions it may be that the rest of Bengal will find itself in a very difficult position. Sir, Calcutta may be said to be the head and apex of the whole province. It has all the railway systems of India converging to it. Here, too, the steamer systems converge and there are various other activities which emanate from Calcutta. It is not only the people of Calcutta that benefit from her activities but the whole of the province. If Calcutta is crippled in any way the whole of Bengal will be crippled too.

As regards taxes and rates my friends know it very well that so far as stamps and dealings in property are concerned Calcutta pays more than the rest of the province. As regards stamps which are paid on probate and letters of administration I might cite one instance, namely, that in one year Sir David Yule's estate paid a huge amount which practically saved the deficit in that year's budget. (Khan Bahadur Maulvi AZIZUL HAQUE: But the properties were not confined to Calcutta alone but were scattered throughout India). Be that as it may it cannot be denied that the duty was paid in Calcutta. I do not know whether Government have made any calculations as to the proportion of revenue contributed by Calcutta towards the whole of the provincial revenues of Bengal, but I am sure, it will be found that the proportion is very large—probably much higher in proportion than the number of square miles that Calcutta occupies. Calcutta has not an area of 770 thousand square miles. For the area that Calcutta has and for its population its contribution to the public exchequer is proportionately far in excess of the rest of the province.

Having regard to all these matters I think that the feelings that exist in certain parts of the House namely that Calcutta is differentially and favourably treated are absolutely without foundation. If my friends who represent constituencies outside Calcutta want to make Calcutta pay for the amenities in which they share they will find that Calcutta will gradually have to curtail its progressive activities, instead of going on as she has been doing up till now. I submit, Sir, that in various ways Calcutta gives them advantages which they do not enjoy in the parts of the country from which they come. The percentage of local rates in Calcutta is much heavier than they are in the countryside. In that way the contribution of Calcutta is very large. (VOICE:

No, it is only 22 *per cent.*) Yes, but the land valuation in the *mufassal* is very low —several times lower than what it is in Calcutta. Moreover, Sir, Calcutta, also maintains what may be called the whole working staff of the province—the spring which moves the whole province—both as regards administration as well as business. The High Court is here, the entire Secretariat is here and various other bodies that work for the whole province is here. I think a case has hardly been made out for throwing an extra burden on Calcutta. Members will no doubt think carefully over the position and if they examine the actual facts they will see that the contribution of Calcutta is probably proportionately much larger than that of the *mufassal*.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, when my friend Mr. Nareudra Kumar Basu charged Maulvi Abul Kasem and Khan Bahadur Azizul Haque with confused thoughts I thought that he would throw some real light on this question. I listened to his speech with very great attention, but I am afraid he made the confusion worse confounded. He tried to show that Calcutta really helps the rural population of the province by contributing appreciably to the provincial revenues, and this has also been the trend of the speech of Mr. J. N. Basu. Mr. J. N. Basu referred to the high Corporation rates that the Calcutta people have to pay. Perhaps they do pay a higher rate, but he must not forget that they get in its return considerably higher and better amenities of life than are given to the people of *mufassal* municipalities The main revenue which Calcutta produces is from its excise and stamps as has been said by Mr. N. K. Basu. The total income from excise is about Rs. 1,50 lakhs of which I believe one-third only is realised in Calcutta At the same time I would like to remind him that the expenditure on excise administration in Calcutta is very much higher than in the *mufassal*. As regards stamps, similarly, we do not know how much of the revenue comes from Calcutta; but even supposing that Calcutta contributes a very large sum, we must also take into consideration the fact that Calcutta also spends a very large amount on its judicial administration. It is not quite right to say that because Calcutta contributes largely, Calcutta has a right to encroach on the revenues of the province mainly from land-revenue and other income for its police.

I agree with Khan Bahadur Azizul Haque that it is not our intention that the entire police expenditure should be met from taxes realised from the people of Calcutta; but I think that as Calcutta requires necessarily a highly paid police staff much more efficient than is required in the *mufassal* and there are problems in Calcutta which do not exist in the *mufassal*, for instance, the traffic and other activities

of the police, it is only fair that Calcutta should contribute a substantial share of the expenses of the police administration in Calcutta. It is no use saying that the improvement of trade and commerce in Calcutta also benefits *mufassal* people. It does benefit *mufassal* people, but the major portion of the profits go to Calcutta. Therefore it is fair and just that those people who derive benefit from the trade and commerce largely and for whose safety and for whose benefit the Calcutta Police is retained, should pay a fair share of the Calcutta Police. With these words, Sir, I support the motion.

Dr. NARESH CHANDRA SEN GUPTA: I am afraid some wrong issues have crept into the discussion of this question. The question as to how much Calcutta contributes to the revenues of the province is more or less irrelevant. For if you go into that question a little further you will have to ask where Calcutta finds the money to contribute to the provincial revenues. Calcutta does not produce much wealth; the bulk of the wealth is produced in *mufassal* and Calcutta exploits it for its own benefit. That is the wealth of Calcutta. If you carry on an investigation, if you go further ahead and go to the root of the question, you will find that Calcutta could not contribute proportionately more than the *mufassal* to the provincial revenue. It has been said that Calcutta gets much revenue from export, import, and excise duties and stamps and court-fees, etc., but, if you calculate them you will find that almost the whole of these revenues is contributed by the people of *mufassal*. How can you possibly distinguish between Calcutta contribution and *mufassal* contribution? Well, the probate duties, even the huge probate duties realised in the Original Side of the High Court, come from the properties outside Calcutta. It is certainly true that Calcutta is a very important town in Bengal and Bengal has got an interest in it. I do not say that the whole of the police expenditure ought to be realised from Calcutta. But at the same time there are certain interests in Calcutta which should contribute. It has been said by Mr. Reid in connection with another matter that some of the expenditure of the Calcutta Police is necessary because Calcutta is a cosmopolitan city. He has said so in connection with the debate with regard to sergeants. If Calcutta requires extra expenditure on account of its being a city of the cosmopolitan nature, I see no reason why the cosmopolitan people should not pay for it. You should impose tax upon the visitors of Calcutta and the tourists coming to it. I do not see any reason why should they not contribute. Why do you compel people, who do not get benefit of Calcutta, to contribute to its expenditure? There is another point to consider which was referred to in a speech when I had the good fortune to hear. It is this: if you have to pay for the expenditure of the Calcutta police from the provincial revenue, it is well and good. But why can't the same principle be applied to *mufassal* also? When the question of police expenditure in villages

comes up, the Government stoutly fights against paying a single pice for the village chaukidar. The village chaukidars are controlled by the police and the Magistrate but the union boards have got to pay for them and no assistance has up till now been given by the Government in that respect. Well, if Calcutta can be paid from the provincial revenues for its police, why not the villages? When the question of improvement of the villages comes in you say that the villagers should find their own money not only for this matter but also for other matters; the union boards have to find their own money for everything and they have to depend only on the grants from the district boards. Let all the revenue resources of the province be brought into a common till and all expenses for the whole province be equitably paid out from this common fund. If you do that I have not the slightest objection. But when the case of Calcutta police comes you pay out of the common till and when the question of *mufassal* comes you ask the people to contribute; this is neither fair nor equitable. You have got to choose between the two, i.e., either Calcutta should contribute for its police and the village should contribute for its police. Or, if Calcutta does not contribute to its police expenditure, the village police also ought to be maintained also from the provincial revenue.

Mr. N. K. Basu referred to this argument. But I do not think he has given any answer. That is the crux of the whole question. If all the expenditure of the province is borne by the provincial revenues, I have not the slightest objection to the Calcutta Police being wholly paid out of it.

Maulvi Abdul Hamid Shah spoke in Bengali in support of the motion.

The Hon'ble Mr. R. N. REID: Sir, Mr. Abul Kasem is evidently one of those who believe in the saying of a famous modern sailor that repetition is the soul of argument, for he repeated his arguments on many occasions during the last few years, but I think we should be grateful to him for his persistence in affording us a discussion to-night and a stimulating discussion. I looked up the previous discussions in this House in 1929 and 1930, and I notice that his persistence was rewarded in that whereas he was able to secure only 8 votes in favour of his resolution in 1929, in 1930 he collected 28 votes against 50 on the other side. It will be interesting to see whether the result of the voting, if it comes to a division to-night, shows an increase on those figures. In 1930, of course, it was a resolution and not a discussion on a cut motion, and the resolution was to the effect that the cost of the Presidency Police should be realised from the citizens of Calcutta and that similarly the cost of the town police in other municipal areas should be realised from the residents. That second point

which is a matter of some importance in respect of my reply but it has not been very much emphasised this afternoon. And this brings me to what is really the main point. Whatever I have to say this evening will no doubt be characterised as a rather jejune reply, as I will have to repeat what was said in 1930 by Sir William Prentice in replying to the resolution of Mr. Abul Kasem. In giving his reply to the resolution he referred to the words of Sir Arthur Moberly in 1929, and those were to the effect that Government could not accept the resolution then, but if it appeared that there was a general consensus of opinion that not only Calcutta but all towns should be taxed separately so as to pay for watch and ward within their own areas, then Government would be prepared to take up the matter and go into it once more. They went into it, as the House knows and the report is available, in 1922. That report was far from being unanimous —6 were definitely against the proposal and 6 definitely for it, and one Mr. Beadle was in favour of the proposal but on rather modified lines very similar to that taken by Khan Bahadur Azizul Haque this evening, that a reasonable proportion of the expenditure should be worked out and so much on that basis should be made payable by the inhabitants of Calcutta and the rest met from the general revenues. Not being at all clear whether there is a general consensus of opinion on the subject here to-night I find it rather difficult to say anything more definite. But one thing is clear to my mind and that is that whatever may be said to the effect that we are not discussing anything which connotes a cleavage between Calcutta and mufassal, I am afraid that feature must enter into any proposal which is to the effect that a large sum of money which is now found out of the provincial revenues should be found by the inhabitants of a particular area, a proposal which means that the provincial revenues would be relieved of either, as some propose, the whole of the Presidency Police cost, or as others say, half of it or a reasonable proportion of it and that cost should be realised from the inhabitants of Calcutta. In other words, the inhabitants of Calcutta will have to be taxed to that extent. That is obviously a proposal which will, if it comes to the point, naturally raise a storm of opposition in certain quarters. Whether the general feeling outside Calcutta and possibly in Calcutta as well is of such strength as would justify Government taking up this question and facing all the controversies that may arise is another matter on which it is difficult to pronounce at this time. There is one other point of general importance which arises nowadays in connection with so many questions and that is whether this is the opportune moment to consider a big and important question of this sort when the present system of Government is nearing its close. We do not know how far off the new constitution is, but we all know it is not very far off now, and it is a matter for consideration whether we are entitled to raise this question now or whether it would not be wiser and more appropriate

to leave it to the future Minister who would be responsible for the Police administration. This of course would not prevent the present Government from collecting all information and materials and having them ready for the future Minister when he came to office. Therefore, I have purposely avoided going into the detailed merits of this proposal which really touch on a large number of subjects. Those who wish to study the question ought to read that interesting report which was issued by the Bompas Committee in 1922 where the pros and cons of this question were set out at length and very clearly. There is just one other point which is an interesting point and which is a matter which does concern this question closely; though it is in a way separate from the main question of whether Calcutta should pay for its luxurious police force as the mufassal opinion designated it or whether the province generally should pay for it. An analogy has been made in some speeches of conditions in European towns and in England in particular. In England the actual fact is that there is a great deal of central control over the police force all over the country. The County Police outside the London Metropolitan area are controlled for the purposes of finance as apart from discipline and promotion by joint committees composed of the Justices and of the local Councils, that is to say, they are only under the partial control of elected bodies, and both these bodies, the Police generally, outside the London area, are very effectively controlled by the Secretary of State for Home affairs. He has powers under the Act of 1919 to make regulations, which are binding on the police forces throughout the country. He has to approve the rates of pay and he can exercise a very powerful control by means of grants-in-aid. A grant-in-aid is made from Central revenues to the local police forces up to one-half of the approved amount of expenditure and naturally this gives him a very powerful lever of control. In London there is no local control over the expenditure of rates on the police. The Secretary of State is the police authority for the Metropolitan area and can determine the amount of the police rates and those rates are paid to an officer, who is now known as Receiver of the Metropolitan Police District, who is appointed by the Crown and is responsible to the Secretary of State. Parliamentary control is obtained by the fact that the accounts are laid before both Houses of Parliament. That, Sir, is the position as regards the analogous case and condition in the United Kingdom, and I think it has a relevancy, and is of interest, to the present debate. As regards the question of control, while I said that if there was a consensus of opinion in the House that there should be a change in the matter of the distribution of the cost of the Calcutta Police as between the inhabitants of Calcutta and the inhabitants of the province generally, if there is such a consensus of opinion Government will certainly take up the matter and look at it again. At the same time, as Sir Arthur Moberly said in 1929, Government would make it clear that they

should have to maintain a very definite measure of control over the police not only of the whole province but also of Calcutta, the reasons for which are quite obvious and which I think must be naturally accepted by the House. For the reasons I have given I have to oppose this motion but I want to make it clear that this is a question on which Government are very much interested though, as conditions are at present, they are unable to accept a motion of this kind.

Mr. P. N. GUHA: In view of the above statement from the Hon'ble Member I beg to withdraw my motion.

Mr. PRESIDENT: You cannot withdraw the motion, not having moved it. It is rather for Maulvi Abul Kasem to do so, if he so desires.

Maulvi Abul Kasem's motion being put a division was taken with the following result:—

AYES.

Banerji, Mr. P.
Barman, Babu Promhari.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Abdul Ghani.
Choudhury, Maulvi Nurul Absar.
Ezaufji, Maulvi Nur Rahman Khan.
Guha, Mr. P. N.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mamin, Khan Bahadur Muhammad Abdul.
Quasem, Maulvi Abul.
Rahman, Mr. A. F.
Ray, Babu Amulyadhan.
Ray, Mr. Shanti Shekhareswar.
Raut, Babu Hosani.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Solaiman, Maulvi Muhammad.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Maulvi Hassan.
Ashworth, Mr. G. G.
Baksh, Maulvi Syed Majid.
Bal, Rai Sahib Surat Chandra.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Cohen, Mr. D. J.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Mr. G. S.
Edgley, Mr. R. G. A.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcett, Mr. L. R.
Ghose, Dr. Amulya Ratan.
Ghose, the Hon'ble Sir Charu Chandra Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dilduar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Guha, Babu Profulla Kumar.
Gupta, Rai Bahadur Mahendra Nath.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.
Karim, Maulvi Abdul.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Maguire, Mr. L. T.
Martin, Mr. C. M.
Miller, Mr. G. G.
Mitter, Mr. S. C.
Mittra, Babu Saral Chandra.
Mookerjee, Mr. Syamaprasad.
Motilal, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nag, Babu Sak Lal.

Hamiuddin, the Hon'ble Mr. Khwaja.
Mitchell, Mr. G. K.
Norton, Mr. H. R.
Poddar, Seth Hanuman Prasad.
Raheem, Mr. A.
Rai Mahasai, Manindra Deb.
Ray, Babu Khettar Mohan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Mr. K. C.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Babu Jitendra Nath.
Roy, Mr. Satiswar Singh.
Roy, Mr. Saral Kumar.
Roy Chowdhuri, Babu Hem Chandra.
Saheba, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sarker, Rai Bahadur Rohati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. B. R.
Sumner, Mr. C. R.
Townend, Mr. H. P. V.
Walker, Mr. W. A. M.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 25 and "Noes" 64, the motion was lost.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 1,20,480 under the head "26B—Superintendence—Pay of establishment" be reduced by Rs. 100 (to raise a discussion on the need of effecting drastic economy in the department).

There is nothing new, Sir, which I can offer by way of argument in support of this motion. I would merely ask the Hon'ble Member to effect economy in the Police Department, because the expenditure in the Police Department, as I have observed on an earlier occasion, is a millstone round our necks. I should like to point out that unless economy is effected in this department, economy proportionate and commensurate with our revenues, unless that is done, the department, I am afraid, will some day be so badly managed that it will not be able to pay its own way. Sir, we have been told that new scales of pay are being prepared which will effect this economy. But we do not know as yet what those scales of pay are going to be. The Police Department will be affected in the same way as other departments. I have a shrewd suspicion, Sir, that economy will not be effected in this way. Government are determined not to effect any economies in the Police Department. We find, Sir, that only a few years back, the pay of the police—beginning from the constable right up to the head of the department—has been doubled—and if not doubled has been increased to a very considerable extent. The occasion for this increase coincided with the year 1921 when there was disturbance in the province on account of civil disobedience movement. Government were in a panic; there was a regular stampede: Government felt that if the pay of the police was not increased perhaps the police force would also join the civil disobedience movement and create disaffection in the country. It is thus clear that Government have increased the pay so far as this department is concerned. There was an increase in revenue on account of the increase in rates of the stamp duty which was made possible by the amendment of the Court-fees Act. But I submit, Sir, that a bad economy cannot last long. The prodigal's favourite must some day become a miser's pensioner. When the salaries of the police were

increased Government swayed by the idea—I might almost say fear—that there would be disaffection in the ranks of the police. I suggest that Government should make earnest efforts to balance its budget so as to make its expenditure fit in with the income, because you cannot run a deficit province by loans from the Government of India. You have been borrowing for several years past and in view of that fact I think that the increases in pay which have been granted to the police should be reduced considerably so as to bring it down to the level of pay that existed a decade ago. Sir, I do not think that any attempt to effect drastic cut will create any difficulty so far as the officers are concerned; because at the time when the pay scales were increased the prices of commodities were very high: now it is very low. And since the prices of commodities are very low now and that money has not got the same value which it used to have before, there is absolutely no reason why economy cannot be effected. And, I think, that Government will be doing a great service to this province if they map out a scheme of drastic economy *vis-a-vis* the entire Police Department. Sir, I fully understand and appreciate the argument of the terrorist movement. It is no denying the fact that crimes of all sorts are increasing in the province day by day.

Mr. PRESIDENT: Maulvi Sahib, have you any objection in moving the next motion, viz., No. 415, which also stands in your name, and make one speech? It will save our time.

Maulvi SYED MAJID BAKSH: No, Sir, I have no objection. I beg to move that the demand of Rs. 1,20,480 under the head "26B—Superintendence—Pay of establishment" be reduced by Rs. 100 in order to draw attention to the excessive budgeting for the suppression of terrorist outrages.

Sir, I know that Government will bring forward the argument that willy nilly they must suppress the terrorist movement, but in order to do that Government must not forget that it must economise. If it does not do so, it will be giving a fillip to the terrorist movement inasmuch as such heavy budgeting for the police is sure to create discontentment and unemployment in the land. And therefore I humbly suggest that Government should take up this aspect of the question in right earnest. Sir, we have seen that two or three years ago there was a great upheaval of terrorist movement and it is quite easy that a fresh recrudescence of terrorist crimes and murders may occur in the near future. But for that excuse, we cannot continue budgeting for such heavy sums for the police to fight the terrorist movement and to banish political murders from the land. If we want to fight this movement we must fight it not with your present methods: you cannot go on with your expensive ways. I therefore suggest to Government that the terrorist

movement can be tackled only by effecting economies which will leave a surplus for building up the nation building departments and thus give ample scope to the terrorists to divert their energies to more useful and healthy channels. I once again emphasise that it is only by this means that you can tackle the terrorist movement—if not stamp it out altogether. You cannot do it in the way in which you have been trying to do it for all these years. I have told this House on many occasions that the way in which the terrorist movement could be tackled is to solve the economic problem and the problem of unemployment. I submit, Sir, that there must be some screw loose somewhere in the administration; otherwise we would not have been saddled with this heavy expenditure on the police. My diagnosis is that all the measures that Government have taken will only increase the strength of that movement. I think that when the disease has become so acute, there is no help for you but to put up with it for some time at least, and leave to time for its total disappearance. If you find that after putting up with this necessary evil for some time there is no improvement in the situation, then and then only you can come to the conclusion that the remedy which I have prescribed for you is of no good: after that, of course, you can devise other measures to combat this evil. What will be our duty then? Our first duty will be to give up the course of treatment which I have suggested and to give up all remedies and to trust to nature—to the invigorating atmosphere of pure air. It has been found, Sir, that persons who suffer from chronic diseases generally get what is called disease-phobia Sir, while I am suggesting to Government to effect economies in the Police Department I cannot ignore another point. It is that I want further to suggest to them not to put on the statute-book laws such as the Bengal Criminal Law Amendment Acts and enforce them in the strictest possible way. Because such a course raises a spirit of revolt in the minds of impressionable youths of the country: it is the spirit of man to disobey what they consider to be unjust laws and which they feel would hamper their just aspirations and their free will. I would therefore request, Government that if they want to effect economy in these matters they should act reasonably. They should not lavishly spend on the stereotyped ways that are suggested by the Police Department. I would request the Hon'ble Member to brush aside the cobwebs of arguments and theories that are placed before him. If he were to brush them aside it would cure the disease. At any rate he must first realise that the present remedy is a bad one in all conscience, otherwise there is no hope for Government. When that is done they would search for the real remedy of the cancer which is at present eating into the vitals of the body politic. If the Hon'ble Member were to ask for help and advice from others—just as ordinary people do—I have not the least doubt that he would find out the remedy himself. At any rate I would draw the attention of the Hon'ble Member to the huge expenditure

that he has budgeted for the suppression of terrorist movement: in several years, if this sort of thing continues the amount will come to several crores of rupees. I have suggested that first of all he should throw off his phials and spill his medicines: then and then only he will find that he is hale and hearty. A reasonable man would in the first instance throw away those pills which are the remedies prescribed by quacks. If I am ill and if I feel it necessary to go to a doctor, it is quite in the fitness of things that I should follow his advice and take his medicine and potions for sometime only. But if I do not find after a certain period that his medicines either cure me or give me any relief, then it would not be unnatural for me not to go to him again but to trust to nature and breathe God's fresh air. You can only exasperate a man by passing drastic measures and pleading that Government have no other course open to them. Sir, I am tired of the familiar argument that the King's Government must go on at any cost whatsoever. I submit, Sir, that before the King's Government can go on the Devil's Government must first cease; otherwise you cannot cure the disease of the body politic.

Mr. PRESIDENT: Order, order. We shall follow your advice and go out for a whiff of fresh air. (Laughter.)

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Maulvi SYED MAJID BAKSH: Sir, once more to revert to my story—a man went to Hippocrates the Greek father of medicine and asked him whether there is any disease for which there is no remedy: the great philosopher said—there is no disease for which God has not created a remedy, except one: and it is this that when a man does not consider a disease to be a disease and then when the symptoms of the disease are explained to him he laughs at them and when proper remedies are suggested he does not care about them and goes about till at last he comes to a stage when the disease becomes incurable. Now, Sir, the disease mentioned by Hippocrates has overtaken the members of the Government. Only lately the Hon'ble Member enacted a Bill in which death sentence has been provided for an offence for which no man would provide any punishment at all. I think Mr. Reid has become Shavian by this time and thinks like George Bernard Shaw that death sentence is a far lighter sentence than, say, six months' rigorous imprisonment, because in one case a man is deprived of his liberty and in the other case he is not. I think the Hon'ble Member does not take into account the legal principle in framing this sort of

Bill. Sir, drastic measures of this sort are unheard of in any other administration and it is in order to protest against this that I move this cut motion.

(Here the time-limit allotted to the subject was reached and the member resumed his seat.)

The two motions of Maulvi Syed Majid Baksh (No. 414 and No. 415) were then put and lost.

The original demand under head "26—Police" was then put and agreed to.

DEMAND FOR GRANT.

27—Ports and Pilotage.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,73,000 be granted for expenditure under the head "27—Ports and Pilotage".

MOTION FOR REDUCTION.

Maulvi NURAL ABSAR CHOUDHURY: I beg to move that the demand of Rs. 4,73,000 under the head "27—Ports and Pilotage" be reduced by Re. 1 (appointment of a Board of Conciliation under the Indian Trade Dispute Act in order to settle the trade dispute existing between the Bengal Mariners' Union, Registered Trade Union No. 9 and the Joint Steamer Company).

(The member read out his speech from a manuscript copy and was inaudible at the reporters' table.)

Mr. C. R. SUMMER: Sir, I think it is evident from the remarks of the mover of this motion that his reason for asking us to accept that there is existent a trades dispute between the steamer companies and the Bengal Mariners' Union is that the union has told him that such is the case. I can see no other reason, nor can I accept the proposition that there is any dispute between the steamer companies and their employees, who fully realise the bad state of the carrying trade and that a fair proportion of the vessels are laid up because there is no employment for them. I do not think, Sir, that the union is very representative of the steamer companies' employees. Its main occupation in life appears to be in the direction of an annual attempt to

influence the steamer companies' employees to go on strike. Incidentally, Sir, of course that strike, if it materialised, would coincide with the advent of the Pujas, thereby causing the maximum amount of inconvenience to the general travelling public. Whilst this has been the position for some years past, it is noteworthy that last year the attempt did not even reach the point of openly talking about a strike. I think, Sir, it would be reasonable to suppose that if there were any grounds for assuming a trades dispute to exist the union would have been approaching the steamer companies with the suggestion of a conference at which such matters might be discussed. No such suggestions have however come our way, and I think that we may take it that there is actually no disagreement or dispute between the steamer companies and their employees. The mover of the motion has referred to the negotiations which took place with the Government of Bengal in 1932, and I understand that on that occasion the union were offered a Court of Enquiry by the Government, which they did not think fit to accept. In view of these circumstances I am afraid we cannot accept the views put forward by the mover.

The Hon'ble Mr. J. A. WOODHEAD: The facts of the case are simple. In September 1932 we received information of the existence of a dispute. The Trade Disputes Act provides for two types of machinery; one is a Court of Enquiry and the other a Board of Conciliation. We told both the steamer companies and the Bengal Mariners' Union that we were prepared to appoint a Court of Enquiry to inquire into the dispute and find out the facts. The steamer companies were agreeable and it is not clear why the union objected to this proposal; they wanted a Board of Conciliation.

In the first place, Sir, the joint conciliatory machinery which existed for the purpose of settling disputes between the steamer companies and the Union had broken down. There are several reasons why Government preferred to appoint a Court of Enquiry. Now if I have understood the mover of the motion correctly what he wants is a Board of Conciliation containing representatives of the steamer companies as well as of the Union. But it appears to be unlikely that such a Board, in view of the breakdown of the conciliatory machinery, would have been able to have settled the dispute. Another fact which I would bring to the notice of the House is that the demands of the Union were very extravagant. One of their demands was that there should be a 25 *per cent.* increase in the pay of barge *manjhis*, *khalasis*, agency staff, flat and steamer clerks and workshop people: they also demanded the granting of three months' compulsory leave——

(Here the time-limit allotted to the subject was reached). I beg to oppose the motion.

Maulvi Nural Absar Choudhury's motion was put and lost.

The original demand under head "27—Ports and Pilotage" was then put and agreed to.

DEMAND FOR GRANT.

30—Scientific Departments.

The Hon'ble Mr. J. A. WOODHEAD: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 26,000 be granted for expenditure under the head "30—Scientific Departments."

The motion was then put and agreed to.

DEMAND FOR GRANT.

31—Education (Reserved).

The Hon'ble Mr. J. A. WOODHEAD: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs 10,25,000 be granted for expenditure under the head "31—Education (Reserved)."

The motion was put and agreed to.

DEMAND FOR GRANT.

31—Education (Transferred).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,08,45,000 be granted for expenditure under the head "31—Education (Transferred)."

The demand for the year 1934-35 exceeds the budget estimate for the preceding year by Rs. 1,39,000 and the revised estimate of the same year by near Rs. 2 lakhs.

2. It will be well understood that the present is not the time to embark upon any schemes involving large expenditure, and members will look in vain in the budget of the department for any of this nature.

Details of the new expenditure included in this year's budget are given on pages 71-74 of the Red Book and no doubt members have already digested the information available there. It is unnecessary therefore for me to repeat all the particulars given in that book. I have not the time to give here.

3. (*i*) I should like however to refer to the more important of the new features.

University grants remain substantially the same but in grants to colleges I desire to draw attention to the provision for extended affiliation at Bethune College in Civics and to a partial restoration of the old grant of Rs. 1,29,000 to non-Government colleges.

(*ii*) In secondary education the most important items are an additional grant to the Moslem High School for girls in Calcutta and a small provision for building and furniture grants for secondary schools.

(*iii*) Special schools which are in the main Madrassas benefit also by additional building and furniture grants and there is provision for extra grants to three junior madrassas for girls.

(*iv*) A small item under the head general gives money for new scholarships for Moslem girls, and Rs. 10,450 is provided for the reorganised work of the Provincial Text-book Committee. The reason of this is that it is proposed in future to charge a fee for each book submitted to the committee for approval and to spend most of the money thus obtained in remunerating those who are appointed to examine and report on the books.

4. In my last year's budget speech I referred at some length to two matters which then were novel the partial introduction of the Primary Act into certain districts of Bengal and the establishment of a training centre for physical education in Calcutta.

I am glad to be able to say that both these new schemes have progressed with complete success.

From next month district school boards will be established in certain districts in Bengal, and the control of primary education will virtually be transferred to them.

It would be difficult to exaggerate the importance which we place upon this experimental work. The inauguration of an immense scheme such as that embodied in the Primary Education Act is fraught with difficulties: there is tremendous possibility of wastage of energy, time and money. This we hope to eliminate by a careful watching of this preliminary and partial introduction. Please do not misunderstand: those districts which have co-operated with Government in this way are not regarded as vivesectionists regard their victims—merely as material to be viewed callously and coldbloodedly for the sake of the prudence which any mistakes might evoke. They will themselves

benefit to a very great extent, and will have—as well as Government—the advantage of their accumulated experience when the time comes (and I hope it is not far distant) to bring in the scheme in its entirety.

5. The training centre which Government has established in Calcutta has done extremely good work during the year. Not only has it trained a number of graduates for posts of physical instructors in schools but it has given short courses of instruction to selected inspecting officers and junior teachers, in the confidence that they, with the little they have seen of what can be done by organised work in this field, will be ready in their own spheres of work to initiate and encourage movements for the betterment of the physique of the rising generation.

6. I should like to take this opportunity of letting the Hon'ble Members of the Council know on what lines we hope to proceed in the near future.

(*a*) It will be within the recollection of all that towards the end of last year an educational conference was held to which representatives of the two Universities and other prominent educationists were invited. This conference reached general agreement on some of the controversial questions, the most important in my opinion being embodied in the following resolutions:—

(1) "Whereas it is essential to make provision for the better regulation and control of secondary education in Bengal this conference is of opinion that a statutory Board of secondary education should be established at an early date. This board should have full authority to exercise such powers as should be entrusted to it by this statute; provided that sufficient funds should also be placed at the disposal of the Board, for the purpose of discharging its functions, and that the formation of the Board does not prejudicially affect the financial position of Calcutta University."

(2) "This conference is of opinion that immediate steps be taken to make an educational survey of the Province, with a view to finding out whether any amalgamation, reduction, redistribution or addition to the number of High Schools is desirable, in order that the fullest benefit may be obtained from the available resources. Any such agreement that might be found desirable should be so planned as to permit of the extension of educational facilities with the expansion of resources."

It is true that Government were thinking of introducing a Bill for the improvement of secondary education in Bengal with a statutory board of secondary education, but there was considerable difference of opinion in the Province on the question whether there should be one

or two boards. There was a section of opinion in East Bengal who favoured two boards and the representatives of the Dacca University were only prepared to accept one board in Bengal under certain conditions.

During the course of discussions at the conference representatives of the Calcutta University, in their individual capacity, agreed that the entire control over the secondary education might be handed over to the Secondary Board, including the prescribing of syllabus.

I think this is a step forward in the right direction. The Secondary Board will be able to devote its entire time and attention to the improvement of secondary education in Bengal, and the present dual control and its necessary disadvantages will be removed and the entire system of education will be guided by one policy.

The second resolution deals with an equally important question. it requests Government to take immediate steps for making an educational survey of the province. The basic principle underlying this resolution is for the equitable distribution of high schools throughout the province. I have repeatedly told the House that one of the main reasons why secondary education in Bengal is getting a bad name is due to the fact that, while in some areas there are too many schools, in others there are none. Some people have deliberately misunderstood the Government and have been giving out that the Government wants to restrict the facilities for secondary education nothing is further from the truth. Our whole aim is that every high school should be an economically self-contained unit, teaching the maximum number of students, and possessing adequate facilities, equipment and teaching staff. Areas that can be served with one school should not have two, at the same time those areas that have none should be provided with a decent school. The conference was of opinion that the only way to deal with this question was to have a survey made of the entire Province. We hope in the near future to take this question in right earnest. At the present time, of course, of economic distress and financial stringency, it is not possible to find money for new schemes but this is just the time to get ahead with the preparation of the schemes so that, as soon as money is available, they can be put into effect without delay. With this end in view all our energies should be directed and we hope we shall receive the full co-operation of the general public, specially as we have the full support of the representatives of the two Universities.

Public opinion on this question must be strongly focussed with us as the task of amalgamation and abolition of existing high schools will be strongly resented by interested parties, but the time has come when we must face facts, and drastic steps must be taken for the improvement of the system of education in Bengal.

There is another important aspect of this question on which we are concentrating our attention, namely, the provision of some kind of vocational education at every stage so that we can divert a number of young men who will find it more profitable to take up either specialised study or some kind of vocation instead of going on with higher education. This will not only restrict the number of those who will go up for higher education, but also may make employment more easy.

(*b*) The problem of the education of girls and women looms larger every year. It is singularly unfortunate that this persistent demand from the other sex for more and better ways of education comes at a time when the purse strings of Government must be held so tight, but we shall try our utmost to use our resources to the best advantage and to plan wisely for the future when money may not be so hard to get.

(*c*) Another matter on which we propose to concentrate attention is that of the training of teachers of both sexes and for work at all stages of education.

It is now generally acknowledged that this is one of the most important functions of Government in the sphere of education——

Adjournment.

The Council was then adjourned till 3 p.m. on Wednesday, the 21st March 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 21st March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 102 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Detenu Babu Satindra Nath Sen.

***128. Mr. B. C. CHATTERJEE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that detenu Babu Satindra Nath Sen, now in detention in the Campbellpore Jail (Punjab), has been suffering from various ailments for a pretty long period?

(*b*) If the answer to (*a*) is in the affirmative, what arrangements have been made for his proper treatment?

(*c*) Is it a fact that *Aurvedic* medicines previously allowed to Babu Satindra Nath Sen were refused by the Superintendent of the Campbellpore gaol?

(*d*) Is it also a fact that the Superintendent of the said jail informed the relatives of Babu Satindra Nath Sen that he "could not object to the *Aurvedic* medicines if the same were sent by a well-known *Kaviraji* firm"?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is not a fact that medicines repeatedly sent by a distinguished *Aurvedic* physician like *Kaviraj* Shamadas Bachaspati were tabooed by the Jail Superintendent?

(*f*) Is the Hon'ble Member aware that the health of detenu Babu Satindra Nath Sen has so much deteriorated that the Civil Surgeon

of Campbellpore some time back wrote to the Inspector General of Prisons, Punjab, to have Babu Satindra Nath Sen examined by a specialist of Lahore?

(*g*) If the answer to (*f*) is in the affirmative, has the recommendation of the Civil Surgeon been accepted by the Inspector General of Prisons?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*), (*b*), (*f*) and (*g*) Detenu Satindra Nath Sen has been reported to be in indifferent health for some time. As the Civil Surgeon, Campbellpore, could find nothing seriously wrong with him, a second medical opinion was obtained last November from the Civil Surgeon of Rawalpindi. This was to the effect that the only positive signs of any defect were low blood pressure and pulse rapidity, that his body was suffering from loss of tone owing to lack of exercise, and that what was necessary to improve his general health was that he should take more exercise. It is understood that necessary arrangements have been made for this.

(*c*), (*d*) and (*e*) Government have no information. These are matters within the discretion of the Punjab Government.

Babu JITENDRALAL BANNERJEE: With reference to (*c*), (*d*) and (*e*), are we to understand that Government tried to get the information and failed?

The Hon'ble Mr. R. N. REID: Yes, that is the correct answer.

Babu JITENDRALAL BANNERJEE: Is it not the business of the Government to try and get the information when questions are put by members of Council?

The Hon'ble Mr. R. N. REID: Yes, my answer was that Government did try to get the information and failed.

Babu JITENDRALAL BANNERJEE: Will not the Government try again?

The Hon'ble Mr. R. N. REID: That is a matter for consideration.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether it was the Punjab Government or the Government of India which refused to furnish this information?

The Hon'ble Mr. R. N. REID: I must ask for notice.

Mr. SHANTI SHEKHARESWAR RAY: In what way did the Government try to get the information?

The Hon'ble Mr. R. N. REID: In the usual way, Sir, in which one tries to get the information.

Mr. SHANTI SHEKHARESWAR RAY: What is that usual way?

The Hon'ble Mr. R. N. REID: May I ask whether it is necessary to answer that question?

Mr. PRESIDENT: Perhaps you wrote to them.

The Hon'ble Mr. R. N. REID: That is exactly the answer I wanted to give.

Mr. SHANTI SHEKHARESWAR RAY: Did the Hon'ble Member write a letter or send a messenger to get the information?

The Hon'ble Mr. R. N. REID: I do not think I need answer that question.

Interview with detenu Babu Satindra Nath Sen by his relatives.

***129. Mr. B. C. CHATTERJEE:** (*a*) Is the Hon'ble Member in charge of the Political Department aware that the relatives of Babu Satindra Nath Sen, now in detention in Campbellpore Jail (Punjab), have not received any news from the detenu since the first week of October last?

(*b*) Is it not a fact that detenus are entitled to four interviews a month?

(*c*) If the answer to (*b*) is in the affirmative, why was the interview with his younger brother refused?

(*d*) Is it a fact that Babu Satindra Nath Sen has not been permitted any interview with his relatives for a period of two years or more?

(*e*) Is it the policy of the Government at present to withhold information about the members of their families from detenus?

The Hon'ble Mr. R. N. REID: (*a*) No.

(*b*) A detenu may have an interview once a week, provided the Deputy Inspector General of Police, Intelligence Branch, Criminal Investigation Department, Bengal, permits it.

(c) Government are not prepared to disclose the reasons for the refusal of interviews with detenus.

(d) As far as Government are aware, only one application for an interview with this detenu has been made during that period.

(e) No.

Babu JITENDRALAL BANNERJEE: With regard to answer (d), what was the fate of that application?

The Hon'ble Mr. R. N. REID: I must ask for notice.

Babu JITENDRALAL BANNERJEE: How many letters is a detenu permitted to write during a month?

The Hon'ble Mr. R. N. REID: I am not absolutely certain, but I think once a week.

Babu JITENDRALAL BANNERJEE: Is it not a fact that during the last 5 months not a single letter has been received from Babu Satindra Nath Sen by his relatives or friends in this part of the country?

The Hon'ble Mr. R. N. REID: I am afraid I am not aware whether any letters have been received by his relatives.

Bengali foodstuffs for detenu Satindra Nath Sen at the Campbellpore Jail.

***130. Mr. B. C. CHATTERJEE:** (a) Is the Hon'ble Member in charge of the Political Department aware that Bengali foodstuffs are not available at Campbellpore, Punjab?

(b) If the answer to (a) is in the affirmative, what arrangements are made for the feeding of Babu Satindra Nath Sen now in detention in Campbellpore Jail (Punjab)?

(c) Is it a fact that Babu Satindra Nath Sen wrote to his relations in September last to arrange with some merchant for sending Bengali foodstuffs to him c/o the Superintendent of the jail?

The Hon'ble Mr. R. N. REID: (a) and (b) Government have received no complaint about the unsuitability of the food supplied to detenus confined at the Campbellpore Jail. The second part of the question does not therefore arise.

(c) Government have no information.

Jute merchants of Madaripur.

*131. **Maulvi SYED NAUSHER ALI:** (*a*) Is the Hon'ble Member in charge of the Police Department aware—

(*i*) that on receipt of an information from the Madaripur Praja Samiti to the effect that some jute merchants of Madaripur kept and used false weights to the prejudice of unsuspecting cultivators selling jute to them, the Subdivisional Officer, Madaripur, ordered the officer in charge of the police-station Madaripur to make an inquiry into the matter in August, 1933;

(*ii*) that the said officer in charge made an inquiry and searched the jute godowns on 27th August, 1933, in presence of some gentlemen of the locality and all the weights found on search, with one exception only, were found to be false on measurement and were seized by the police; and

(*iii*) that the merchants whose weights were seized privately approached the police authorities of Madaripur, and on their paying a sum of Rs. 1,000 to a local institution the whole affair was hushed up and the weights were returned to merchants concerned on 2nd September, 1933?

(*b*) If the answers to (*a*) are in the affirmative, what steps, if any, do the Government intend taking in the matter?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*) (*i*) Yes.

(*ii*) The officer in charge searched some godowns but did not find any false weights. Some weights were taken away by him to be tested, but as they were found correct they were returned.

(*iii*) No.

(*b*) Does not arise.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state upon whose information he has given the answer that the weights were found to be correct?

The Hon'ble Mr. R. N. REID: The information was received from the District Officer.

Maulvi SYED MAJID BAKSH: Was there any allegations made to the authorities about a sum of Rs. 1,000 being paid to hush up the affair?

The Hon'ble Mr. R. N. REID: Not that I am aware of.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to inquire, since the allegations were seriously made by a member of this Council whether such an allegation was true or not?

The Hon'ble Mr. R. N. REID: If the hon'ble member of this Council gives me the authority upon which he is making the allegation, I shall be pleased to inquire into it.

Bally Municipality.

*132. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that the residents of ward No. 2 of the Bally Municipality submitted a petition to the Secretary to the Department of Local Self-Government on the 16th of January, 1934, for the improvement of the *kutcha* drain passing through Jagat Banerji's Lane as the condition of the drain then prevailing was dangerous to the public health?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay a copy of the memorial on the table?

(*c*) Will the Hon'ble Minister be pleased to state the steps that have been taken or are proposed to be taken in the matter?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes; it is a fact.

(*b*) A copy of the petition is placed on the Library table.

(*c*) The petition has been forwarded to the Commissioner of the Burdwan Division for disposal.

Official Assignee.

*133. **Mr. S. M. BOSE:** With reference to the reply to starred question No. 5 of the 8th August, 1933, will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) what further progress has been made regarding the proposal accepted by Government to make the Official Assignee a permanent Government servant on a fixed pay;

(*ii*) whether the proposals of the High Court have been received regarding the nature of the legislation necessary for the purpose;

(*iii*) when the necessary legislation will be undertaken; and

(*iv*) whether such legislation will be submitted to the local Council or to the Central Legislature?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Charu Chunder Chose): (*i*) and (*ii*) No further steps have been taken in the matter as the proposals of the High Court regarding the requisite legislation were only received on the 9th March, 1934.

(*iii*) and (*iv*) These matters will be decided after the High Court's proposals have been examined and considered by Government.

Health of certain prisoners.

***134. Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Jails Department be pleased to state the present state of health of—

(*i*) Mukul Ranjan Sen, prisoner in the Alipore Central Jail;

(*ii*) Ambika Charan Chakravarty, a prisoner in the Midnapore Central Jail; and

(*iii*) Sumitra Sen, a prisoner in the Alipore Central Jail?

(*b*) Are the abovementioned prisoners suffering from tuberculosis?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state how long each of the said prisoners is suffering?

(*d*) What is their present weight and weight a year back?

(*e*) Are they kept in jail hospitals? If not, why not?

(*f*) Is it not a fact that their conditions are causing grave anxiety?

(*g*) What is the latest medical report on their health?

(*h*) Have they been X'rayed?

(*i*) If so, what is the result of the examination?

(*j*) Is it also a fact that, in the case of prisoner Sumitra Sen, the infection has affected his eyes?

(*k*) Are the Government considering the advisability of their release in view of their alarming state of health?

(*l*) If the answer to (*k*) is in the negative, what steps do the Government intend taking in the matter?

MEMBER in charge of JAILS DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*)(*i*) Bad.

(*ii*) Fairly good.

(*iii*) Not satisfactory.

(*b*) The first and third prisoners are suffering from tuberculosis. The second had tuberculosis of the lungs but has shown no sign of any active lesion since August, 1931.

(*c*) As far as is known, the first prisoner from February, 1933, and the 3rd prisoner from October, 1932.

(*d*)

	Present weight.	*Weight a year back.*
	lbs.	lbs.
1st prisoner	89	... 102
2nd prisoner	164	... 159
3rd prisoner	124	.. 133

(*e*) The first and third prisoners are in the jail hospital, but not the second, it not being considered necessary on medical grounds.

(*f*) The condition of the first prisoner only is causing anxiety.

(*g*) See answer to (*a*) above.

(*h*) Two of them have.

(*i*) The first prisoner was X'rayed twice. The first examination showed some consolidation, while at the second examination his lungs appeared to be normal. In the case of the second prisoner the skiagram was not good enough for a definite opinion to be formed.

(*j*) Yes.

(*k*) No.

(*l*) They are being given the best available treatment.

Mr. SHANTI SHEKHARESWAR RAY: With reference to (*c*), will the Hon'ble Member be pleased to state whether the first prisoner had tuberculosis when he was first imprisoned?

The Hon'ble Mr. R. N. REID: No, Sir. He was convicted in June, 1930, and he was passed as fit for transfer to the Andamans in 1932, and it was not until he had been in the Andamans some months that he was certified by the Andamans authorities to be suffering from tuberculosis, and on that ground he was returned to Bengal. Previous to that it was not known that he was suffering from tuberculosis.

Mr. SHANTI SHEKHARESWAR RAY: With reference to (*c*), will the Hon'ble Member be pleased to state whether there is any danger of other prisoners being contaminated by the second prisoner not being segregated?

The Hon'ble Mr. R. N. REID: I understand that he has shown no sign of any active lesion since August, 1931; he is not considered dangerous to other prisoners and, therefore, he is not treated as an actively tuberculous patient would be.

Maulvi SYED MAJID BAKSH: Has the Hon'ble Member got his sputum examined to find whether there were tuberculosis bacilli in it?

The Hon'ble Mr. R. N. REID: That is a matter for the jail authorities, not me.

Malaria in Mymensingh.

*135. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that malaria has been most rampant this year in the Mymensingh district, especially in the Tangail subdivision?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing separately, subdivision by subdivision, the total number of mortality from malaria that occurred each year during the last 5 years in the Mymensingh district?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) what steps have been taken by the Government in the past to check malaria in the aforesaid district; and

(*ii*) what steps do they contemplate taking in this connection in the future?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) A statement is laid on the table.

(*c*) (*i*) In addition to the normal quinine grants of Rs. 3,020 and Rs. 2,625 to the district board and Civil Surgeon, respectively, a special grant of Rs. 2,625 and an emergency grant of Rs. 1,800 were given to the charitable dispensaries of the district.

In July, 1933, also, two sub-assistant surgeons were deputed by the Public Health Department for malaria duty in this district and were retained by the district board until the end of September. In January, 1934, an assistant surgeon was sent at the request of the District Magistrate to investigate the cause of an outbreak of malaria in the Warshi union of the Tangail subdivision.

(*ii*) No special steps are contemplated at present, but the assistant surgeon's report will be considered.

Statement referred to in the reply to starred question No. 135 (b), showing subdivision by subdivision the deaths from malaria in the district of Mymensingh during years from 1928 to 1933.

	1928	1929	1930	1931	1932	1933 up to September
Sadar subdivision—						
Rural area	846	586	805	625	1,181	3,009
Municipal area	2	1	2	2	1	6
Netrakona subdivision—						
Rural area	349	314	262	920	1,185	1,635
Municipal area	25	5				38
Jamalpur subdivision—						
Rural area	1,059	3,165	3,179	4,078	5,378	7,966
Municipal area	35	37	36	71	57	37
Kishoreganj subdivision—						
Rural area	571	200	171	313	644	2,555
Municipal area	2		1	11	45	16
Tangail subdivision—						
Rural area	274	1,110	2,493	3,724	3,601	3,628
Municipal area	3	8	1	3	8	2

Rent, mortgage and money sales in the Mymensingh district.

***136. Maulvi NUR RAHMAN KHAN EUSUFJI:** Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing separately, subdivision by subdivision of the Mymensingh district, and year by year, for the last three years—

(*i*) the number of rent sales that took place in the various civil courts;

(*ii*) the number of mortgage sales; and

(*iii*) the number of money sales?

The Hon'ble Sir CHARU CHUNDER GHOSE: (*i*), (*ii*) and (*iii*) A statement is laid on the table.

Statement referred to in the reply to starred question No. 136, showing the number of rent, mortgage and money sales in the civil courts of the district of Mymensingh for the years 1931-33.

Names of subdivisions.	Number of rent sales in—			Number of mortgage sales in—			Number of money sales in—		
	1931.	1932.	1933.	1931.	1932.	1933.	1931.	1932.	1933.
1. Sadar	2,511	3,240	3,824	217	202	286	307	376	501
2. Netrakona	1,570	1,812	2,647	91	78	127	344	338	399
3. Kishoreganj*	366	591	767	65	111	147	330	407	498
4. Jamalpur	1,426	1,651	2,521	80	66	79	215	185	215
5. Tangail	659	476	997	131	120	154	400	322	464

*Excludes the figures of Bajitpur munsifi, the registers and records of which were destroyed by fire on 25th March, 1933.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Standardisation of weights.

57. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the District Board of Noakhali moved the Government through the Commissioner of the Chittagong Division to frame rules to fix a standard of weight at Noakhali for sale and purchase of agricultural products?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, have the Government taken or do they propose to take in the matter?

(*c*) Are the Government considering the desirability of framing such rules? If so, when?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) Does not arise.

(*c*) It is proposed to try the experiment in municipal towns first and model by-laws are being framed by Government in this connection in consultation with Commissioners of Divisions.

Malaria in the Faridpur district.

58. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Government received a petition from the Faridpur District Board for an emergent supply of quinine and specialised staff to make investigation as to the species of mosquitoes responsible for the spread of a virulent type of malaria prevalent in the district?

(*b*) If the answer to (*a*) is in the affirmative, have the Government taken any steps in the matter?

(*c*) If no steps have yet been taken, what do the Government propose to do in the matter?

(*d*) Is the Hon'ble Minister aware that the Faridpur District Board intimated its desire to the Government that the District Health Office may get special training for anti-malarial work and inquired whether Government could make any arrangement to give facilities for special studies for this purpose?

(*e*) If the answer to (*d*) is in the affirmative, are the Government prepared to give any facilities in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*b*) In a letter, dated the 13th July, 1933, the District Health Officer asked for "the services of an expert malariologist or entomologist to study the situation and to report for drawing up a scheme for the eradication of malaria in Gopalganj subdivision." This application was followed by another dated the 21st July, 1933, from the District Health Officer and endorsed by the Chairman of the district board asking for "the services of two doctors for conducting malarial works in the affected villages of Gopalganj, Muksudhpur and Kasiani police-stations and for the supply of at least 50 lbs. of quinine sulphate tablets as the situation could not be coped with the supply of 100 lbs. of cinchona febrifuge tablets, recently received from the Bengal Public Health Department."

The Director of Public Health replied to the Chairman on the 27th July, 1933, that "as malaria had broken out simultaneously in several districts of Bengal, all the available malaria staff had been engaged elsewhere, and no doctor could therefore be spared for anti-malarial work in Faridpur district." The Chairman of the board was, however, advised to mobilize the local public health staff from the healthy areas to carry out an intensive anti-malaria campaign in the epidemic areas. He was also asked to instruct his District Health Officer to arrange to send samples of mosquitoes caught in the affected areas to the Bengal Public

Health Department Malaria Laboratory for identification. Moreover, on the 29th July, 1933, an emergent supply of 100 lbs. of quinine sulphate tablets was made by the Director.

(*c*) Does not arise.

(*d*) The District Health Officer submitted an application for such training, and this was forwarded by the Chairman of the district board without any recommendation or remarks.

(*e*) Government are prepared to nominate the District Health Officer for the malaria training class, if either he or the district board will bear the entire cost.

Irrigation and drainage problems of Bengal.

59. Babu JATINDRA NATH BASU: (*a*) Is the Hon'ble Member in charge of the Irrigation Department aware of the proceedings of the Bengal Sanitary Board at its meeting held on the 15th August, 1928?

(*b*) If so, are the Government considering the desirability of taking early steps—

(*i*) to deal with the problem of irrigation and drainage and also with the problem of public health so far as the same is affected by irrigation drainage;

(*ii*) if necessary, to initiate an inquiry as to the conditions that now exist as regards irrigation and drainage and the policy that should be adopted to effect the solution of the problem by application of methods which will bring lasting benefit to the province, now that the Bengal Waterways Bill has been passed?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim Chuznavi, of Dilduar): (*a*) Yes.

(*b*) (*i*) Certain areas in the district of Midnapore are now being flushed with water from the Midnapore canal and in the districts of Burdwan, Hooghly and Howrah by water from the Damodar river and the Eden canal. Inquiries are being made with a view to flushing parts of Burdwan district with water from the Damodar canal, and flushing schemes in the Nadia Rivers Division are either under inquiry or under preparation. A survey has also been made in the districts of Burdwan, Howrah and Hooghly with a view to preparing more flushing schemes in these districts, if possible.

(*ii*) The Act in question provides for the creation of a Waterways Trust as an executive agency for carrying out its objects. Till this Trust has been constituted it would, therefore, be premature for Government to give an undertaking as to the future policy which will be adopted for carrying out the objects of the Act.

Khan Bahadur MUHAMMAD ABDUL MOMIN: With reference to answer (*b*)(*ii*), will the Hon'ble Member be pleased to state whether it will be possible under the Waterways Act to devise means for flushing any part of the country for the purpose of irrigation and public health?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: That is a matter which will be investigated by the members of the board after the board is formed.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not a fact that the Waterways Bill has been passed for the purpose of navigation as is mentioned in the preamble?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: The Bill provides that the Trust will function for the improvement of waterways. That is true. But at the same time if anything is done that way in the course of improving the waterways, it is altogether a different matter. It is for the members of the board to consider a question of that sort.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Member aware that if the members of the board were to spend funds of the board on any matter unconnected with navigation, they will be liable for breach of trust?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: My answer is that that again will be a matter for the members of the board to consider.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Member aware that an accused is not the proper person to judge of his own conduct?

(No reply.)

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

31—Education (Transferred).

(The Hon'ble Mr. Khwaja Nazimuddin, who was in possession of the House last night, resumed his speech.)

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Lastly, I propose to refer to an important scheme for the reorganisation of the lower inspectorate details of which have now been worked out and which I hope to see operating in the near future.

At present the officers of the inspecting branch of the department, who deal directly or indirectly with primary education, are subdivisional inspectors and sub-inspectors. The qualifications which we exact from recruits to both these cadres are the same—a university degree and a diploma or degree in teaching.

The work in our training colleges is, however, mainly directed towards the training of school teachers, and the result is that inspection in the sphere of primary education is done by highly qualified, well-paid officers, who yet have received no expert training for the important work they are to do.

They are, moreover, only the junior cadre in a large series of graded services, and they naturally look forward to promotion to higher scales of pay and different work—work unconnected with primary education.

We are thinking of creating a body—consisting of two cadres—of inspecting officers, specially trained for primary work—larger in number than the old sub-inspectorate, but drawing less pay.

We hope the result of this will be that each man will have a more reasonable number of schools to deal with, and that the creation of a self-contained primary inspectorate will result in more efficient and more sympathetic work in village schools.

MOTIONS FOR REDUCTION.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that the demand of Rs. 11,700 under the head "31A—Education (Transferred)—University—Non-recurring grant to Calcutta University" be reduced by Rs. 3,000.

Sir, my motion has a reference to this special provision for hostel accommodation for the depressed class students. I do not so much intend to have a cut in the grant as to hear the views of the Hon'ble Minister about it. Sir, education ought to be a great leveller, but in these days it seems that it is tending to create communal feelings in the students. In our time students belonging to different castes used to live in the same house—there was no hostel accommodation in those days—and they used to live very happily together. There were separate kitchen arrangements, that is all; and in those days we found no difficulty in those living together. There was no question of special hostel accommodation for different castes. But the modern day arrangements keeping depressed class students separately would create a feeling of inferiority in their hearts which is not good. On the other hand, there should be an attempt to create friendly feeling amongst students so that they may work and live together, think together and try to be friendly with one another. In this way even the Hindu and

Muhammadan students may live in the same hostel, if necessary there may be a separate kitchen arrangement. Sir, we are thankful to the Education Minister for what he has done for education in his province in various ways, and I know that he is very sympathetically inclined. I hope, therefore, that in this direction he should make an attempt to see that no communal feeling is created in student communities in providing separate hostels for different castes. If anything is to be done for the improvement of the mode of living of the students I have not the least objection, but I do protest against the arrangements for separate accommodation. I do hope that this arrangement would be discontinued in the near future. Sir, years ago in Bhagalpore I know that Hindu and Muhammadan students used to live in the same house with separate kitchen arrangements. I do not know whether that condition prevails there now in these days of communal feeling. But in my time there was no such feeling at all. This is the idea underlying my motion, and I want to see this distinction done away with. I want our students to have no such distinction in their minds and to be friendly to one another. With these words I move my motion.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I wish Mr. Chaudhuri had been a little more explicit as to the exact scope of his motion. The proposal is to reduce the grant by Rs. 3,000. This grant is being paid to the university for the last 16 years; I think it was first given in 1918 for the purpose of enabling the university to organise and run two special hostels for the depressed classes, or to put it more correctly, the educationally backward classes, as they were described in those days. (A VOICE: "Scheduled castes.") No, that expression was not in existence in the year 1918—it was not yet born. So far as the two hostels are concerned, there are at present in the one 27 *Namasudra* students and in the other 24 *Jogi* students. They are administered by the university out of the special grant which is being paid by Government since 1918. Sir, Mr. Chaudhuri raised the questions as to the desirability of continuing such separate hostels for these students—his point being that it is quite possible for the university or the colleges themselves to provide seats for these students in the ordinary hostels. So far as the university is concerned, the question does not affect its internal organisation. The university administers this fund on behalf of Government. But the point is worth considering. Government as also the university may communicate with the colleges to find out whether it is possible for these students to be accommodated in the ordinary hostels. If that is possible, the money thus realised may be diverted for providing better facilities for students belonging to the backward classes. If, however, such admission into ordinary hostels is not allowed, these hostels must continue.

Babu AMULYADHAN RAY: Does Babu Kishori Mohan Chaudhuri know why these hostels were started? He ought to know that in

Bengal public hostels are maintained at the cost of public revenue; but they do not find any accommodation for our boys. That is the reason why these hostels were started and my friend should not be astonished that the Calcutta University which has a monopoly of teaching a certain class of people do not revise that policy and give us our due share of hostel accommodation in the Calcutta University. It is a disgrace on the part of Bengalees to maintain public hostels and messes at the cost of public revenues to which a certain section of students are not admitted; and it is a pity and shame to us that there being only one hostel in Bengal our boys are going to be refused accommodation there. It is really a pity and I would ask my friend to change his mentality and his point of vision: otherwise, the monopoly which they are now enjoying will be divided equally between us.

Mr. NARENDRA KUMAR BASU: After the explanation which Mr. Syamaprosad Mookerjee gave of the motion introduced by Babu Kishori Mohan Chaudhuri, it is rather astonishing that we should be edified with the spectable of Mr. Amulyadhan Ray getting up and making the speech which he has done. It was explained by Mr. Syamaprosad Mookerjee and also by Kishori Mohan Chaudhuri that the money is no longer necessary, because at the present day members of the *Namasudra* and *Jogi* castes may be, and possibly will be, taken into ordinary hostels. If Mr. Ray objects to that, that is another matter however. If he wants Mr. Mookerjee and Kishori Babu to change not only their mentality but also their castes, that again is another matter, but I submit that as Mr. Syamaprosad and Kishori Babu do not see any objection to *Namasudra* students being admitted into Hindu hostels, I do not know why Babu Amulyadhan Ray should object to this motion. I, therefore, think that with the qualification stated by Mr. Mookerjee that the money should be diverted from the university hostels and spent on the educational purpose of the *Namasudras* and *Jogis*, I do not see any reason why Babu Amulyadhan Ray should get up and oppose the amendment.

Reverend B. A. NAG: I do not think that my friend Mr. Narendra Kumar Basu really understood either Mr. Syamaprosad Mookerjee or Babu Amulyadhan Ray or Babu Kishori Mohan Chaudhuri. None of them said that the students of the depressed classes were admitted into ordinary hostels; that would be impossible even to-day, with the exception of a few hostels only which are under the management of a certain section of the people. I do not know, Sir, of a single *Namasudra* student having been admitted, for instance, into the Eden Hindu Hostel. The Eden Hostel is a Hindu hostel and the *Namasudras* are Hindus, but still on that ground they cannot enter that hostel on the same terms and eat with caste Hindus in the same room. There are of course certain hostels where they may be admitted if they do not claim the

right of eating together; they must eat separately. Such a thing might appear harmless to Mr. Narendra Kumar Basu, but no self-respecting people can agree to that, for it always brings in a sense of inferiority. I do not say that the blame rests entirely with the higher caste Hindus, who will not allow the *Namasudras* or other depressed classes to eat with them. But the blame also rests with some of the members of the depressed classes too. I remember a particular case. A *Bhumali* student had passed the B.Sc. from one of the Christian colleges where he was in the college hostel. The Principal of the college wrote to me asking if I could find a place for him in a hostel, since his college hostels were meant for under-graduates only. All the seats of my hostel were filled up, however, and I could not help the young man; but I told him that there was another hostel where he would be easily accepted if I wrote to the authorities. But the young man replied: "There all castes eat together, so how can I go there?" That was the objection raised by the *Bhumali* student! I shall be very pleased to see the efforts of Mr. Kishori Mohan Chaudhuri directed first of all to the Rajshahi Hostel so that *Namasudra* students might be admitted there on equal terms. I would like to see Mr. Narendra Kumar Basu's efforts directed towards the admission into the ordinary hostels of Calcutta of *Namasudra* students of other depressed classes. I know that there are some such students in the ordinary hostels, and I have already indicated that it is only in Christian hostels that they are admitted on equal terms. I did not want to advertise that fact, being a Christian myself; but I would like to know where is that Hindu hostel where these students are admitted on equal terms. If they are admitted only on sufferance that is not a thing which the students of the *Namasudra* community should at all relish. But I was going to say that if my friends Mr. Mookerjee, Mr. Chaudhuri, Mr. Basu and all the rest will direct their efforts to seeing that students of the scheduled castes are admitted into ordinary hostels along with the Hindu students of the higher class, then there would be a great gain not only in the matter of this three thousand rupees but as regards the whole nationalism in India. Why for *Namasudra* students alone? If my friends will direct their attention to having hostels where Hindus, Muhammadans, Christians, and all may be admitted and will live together, and study together, and eat together, that would be a happy day indeed, but that day has not yet come. Even in places where we expect things far different from what they are, we regret to see that people of other castes are very much looked down upon and therefore they do not like to go there. I think, Sir, I need not say anything more in order to oppose this amendment.

Rai Sahib SARAT CHANDRA BAL: I stand to oppose the motion moved by my friend Babu Kishori Mohan Chaudhuri. Neither the

mover nor the supporters of the motion are members of the depressed classes, and it is therefore very difficult for them to realise the difficulties of the students belonging to the depressed class. In the first place there are social difficulties, and I know from some of my friends who live in Christian hostels were in trouble. The caste Hindu students do not want that the depressed class students should be admitted. They want them to be excluded from such hostels. Next Sir, in ordinary hostels students have to pay a high seat rent and other charges; but the depressed class students being generally very poor, it is not possible for them to pay these charges; that is why they find it convenient to seek accommodation in special Government hostels where the seat rent is comparatively low. If these hostels are removed, the depressed class students, who are generally poor, will find it very difficult to prosecute their studies in Calcutta; so in order that they may get education in Calcutta, it is necessary that hostels should be maintained specially for depressed classes. They should be inspired with the spirit of social independence and must not suffer from a sense of inferiority to the other castes. If they are made to feel that they are inferior to caste Hindus, I think they would degenerate, but if they live in separate hostels, they will be inspired with the spirit of independence and will in no way feel themselves inferior to caste Hindus which they will feel in case they live with them. So I think these hostels should not be removed. I oppose the motion.

Babu JITENDRALAL BANNERJEE: I do not understand why Mr. Nag introduced so much heat and passion into his speech; there was no occasion for it. It is a question rather of fact and inquiry; not a question of passion at all. I can inform him in the first place that, so far as non-Government colleges in Calcutta are concerned, every one of them has a hostel attached to it. In none of the hostels is there any rule to the effect that students of the depressed classes cannot be admitted there; there is no rule to debar them from admission into any such hostel. As regards accommodation, of course, I can understand the difficulty. Mr. Basu was slightly incorrect in the interpretation he put upon the speech of Mr. Syamaprosad Mookerjee. In point of fact, Mr. Mookerjee could not have said that there was no difficulty as regards the admission of depressed class students into our hostels; so it is rather a question of investigating facts, and I think the college authorities should first of all be consulted with a view to find out whether they can afford accommodation to such boys in their hostels; if they can, of course, there will be no difficulty. If, however, this is done to the detriment of self-respect of these students, then the case becomes very strong for having separate hostels. So long as such an inquiry is not completed, I think Kishori Babu's motion is rather premature and he will be well advised to withdraw it.

In point of fact the depressed classes have their grievances, and I myself am familiar with them, having been Superintendent of a hostel about 18 years ago, and I found considerable difficulty in the way of such admissions, as high caste Hindu students always objected and their objection was often upheld by the college authorities; so it cannot be denied that they have grievances. But in the course of time these grievances have been mitigated and there are large sections of students who do not now object to the admission of the depressed class students into such hostels. For instance, in the case of the Vidyasagar College, there would be no difficulty whatsoever. In fact, the students of this college met together and passed a resolution to the effect that they would not object to the admission of depressed class students; if, however, no depressed class students sought admission, that is a different matter altogether. But it is not a question which concerns them so much as it concerns the high caste Hindus. In this connection, Sir, may I put a pointed question to my depressed class colleague here, as to why they have two hostels, one for *Namasudras* and one for the *Jogis*? Why this self-respect among these two sections in the depressed class? Why can't they meet together and dine together and live in a common hostel? Why do you not first of all remove the beam from your eyes before you find fault with the mote in other people's eyes? No doubt, Sir, there are difficulties everywhere, and nobody is free from blame in this matter. In conclusion, I would once again request Babu Kishori Mohan Chaudhuri in view of the reasonable suggestion that has been put forward by Mr. Syamaprosad Mookerjee to withdraw his motion.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Mr. President, Sir, I do not think I need say anything more after the speeches which have been delivered on this motion. All I want to add is that, originally, these grants were given to enable the depressed classes to come to Calcutta to study in the university, and the question of funds was really the thing that stood in their way. As Mr. Bal has said, they found that the ordinary hostels were expensive and many students could not afford to stay in the hostel, therefore two hostels were provided by the university and subsidised by Government to enable these students to study in Calcutta.

Babu KISHORI MOHAN CHAUDHURI: In view of what has been stated, I beg to withdraw my motion.

The motion was then, by leave of the House, withdrawn.

Maulvi TAMIZUDDIN KHAN: Mr. President, Sir, I beg to move that the demand of Rs. 4,94,486 under the head "31A—Education

(Transferred)—University—Grants to universities—Calcutta University" be reduced by Rs. 100, as a protest against the proposal to drop the question of university reform and amendment of the Calcutta University Act.

Sir, my object in moving this motion is to draw the attention of the House once again to the urgent necessity of university reform, as well as to enter a protest against the indecision of Government so far as this matter is concerned. It is admitted on all hands that our university is in need of reform and that the Calcutta University Act, which is a very old piece of legislation, requires revision, but unfortunately Government has not yet been able to take up this question in right earnest, and has not the courage to bring in the desired legislation. In fact, a Bill was introduced and discussed in the Select Committee and some references were also made to the university authorities, but ultimately nothing came of the efforts of all these bodies and the long cherished reforms have been postponed for an indefinite period. On what lines these reforms should be carried is a very important question. Sir, not being experienced in the working of any other university than that of our own, I am not quite competent to say, so far as the purely academic side of the reforms are concerned, on what exact lines attempts should be carried on. There are many eminent educationists on the floor of this House who, I think, will be able to give valuable suggestions so far as this side of the question is concerned. I hope, Sir, that my esteemed friend Mr. Rahman will be able to catch your eye and speak on the subject and thus enlighten the House to a very large extent. I would only offer a few observations from a common sense point of view. We have seen that our university, although it has been turning out graduates in any number in Science, Arts and in Law, still is not able to impart to our young men that kind of education which may be useful in life after they have left the university. Our university may be compared to a flower and fruit garden which produces fruits and flowers rather than a nursery that rears the plants themselves. These fruits and flowers are being thrown and dumped on a market which is already overcrowded, with the result that there is no sufficient demand for these. The result is stagnation, and that stagnation is producing a rottenness which is jeopardising the very health of the nation. What I mean to say is that unless some vocational education is imparted to our young men whereby they may become useful members of society when they enter life, our university education will not fulfil one of the real objects for which the universities exist. So far as this matter is concerned, I think not only the university authorities but also Government are very much alive about it, and the Hon'ble Minister in his opening speech yesterday gave us an assurance that he would try to provide some sort of vocational training in all kinds of educational institutions so that this defect in our university education may, to a certain extent, be remedied. All that is very good.

But my point is, when is the comprehensive reform coming? Are we to be palliated with only hopes and promises? Is anything going to be done in the near future?

Sir, another point of view I would like to say is that the organisation of our university is defective, because, as everyone knows, there is no justification for our university being mainly a nominated body. Eighty *per cent.* of the members of the senate are nominated by Government and only 20 *per cent.* are elected, and these 20 *per cent.* even are elected, not on broad franchise so that there is no proper representatives of all interests. Therefore, if any reforms are to be carried out, this question has to be kept strictly in view. Secondly, from another point of view also, I must say that our university is not all representative. In a country like ours inhabited by different peoples professing different religious faiths there are bound to be certain matters which are purely of a communal or sectarian nature. Such are matters religious and socio-religious. So far as these things are concerned, any organisation formed for furthering such interests must of necessity be of a sectarian stamp and outsiders have no reason to muddle with these affairs. But as regards matters national in which every community or sect irrespective of its colour or creed is equally interested, it is of vital importance to see that any public organisations or institutions dealing with such matters do really represent the people as a whole, that the different communities or creeds are adequately and effectively represented on such bodies. Otherwise, there will always be a tendency for these national organisations degenerating into sectarian coteries liable by their very nature to disregard the interests of those not represented on them. A university like ours should be such a national concern—national, in the proper sense of the term. It should be such a body as may naturally inspire the confidence and command the respect of all alike. It should be of such a representative character as people of every community or creed may call their own and love it equally and draw inspiration from it in an equal degree. Sir, the question may be raised why a Hindu may not represent the Muslims on a body like the university. I do not say that a Hindu cannot in any circumstances represent the Muslims. There are certain things of a purely general character as, for instance, fixing the syllabus of studies in subjects like Mathematics, Physics, Chemistry or Botany or for the matter of that English Literature. In such matters it is of no concern whether the man at the helm of affairs is a Hindu or a Moslem or a Jew or a Christian. But there are many other matters in which the interests of particular communities have to be particularly considered. A university by its very nature must provide means for the fruition and full expression of the highest culture and tradition of a people. Now in Bengal—as in every country where Muslims live along with other communities—the Muslims form in many respects a distinct people. One should not misunderstand me here. I cannot disclaim the nationality

that is bound up with my birth in this beloved land of ours. I am as much a Bengalee as any other son of Bengal. But I am something else too. As a Moslem I belong at the same time to a wider confraternity and as such I have distinct past of my own, I have a distinct culture of my own, I have a distinct stamp on my whole being as marks me out from my brethren belonging to other creeds and communities. I naturally wish to live up to both these ideals. As a Bengalee I would yield to none in my desire to emulate in and uphold all that we must cherish as a Bengalee. At the same time my education should be such as may make me an equally efficient member of the confraternity of Islam. My education will be hopelessly incomplete if in its pursuit my distinct culture has been neglected. It is in this respect that no one who does not belong to my community can truly represent me on the university. So far as the constitution of our university is concerned, my ideal is a confederation of both Hindu and Moslem ideals, so to say. It must not be solely the ideal of the Hindu University of Benares or of the Muslim University of Aligarh, but it must be a happy combination of both. That many require some sacrifice here and some compromise there, but no sensible man will grudge that as long as the two distinct cultural ideals are not lost sight of.

Again, Sir, there is another consideration which is of paramount importance. If our nation is not to be crippled in its growth, a strict eye should be kept on the educational advancement of all the sects and communities constituting the nation. If particular communities were unfortunately neglected in the past, we must of necessity for the sake of our nationalism give special facilities so that they may make up the lost ground as early as possible. If this is conceded, it follows as a matter of course that these communities should be effectively represented on the university to look after their special needs. For reasons which I do not like to discuss here, these considerations have been to a large extent overlooked in the present constitution of our university. Reforms is, therefore, urgently called for on the lines indicated. Sir, the difficulty which the Hon'ble Minister explained on the floor of this House on some previous occasion to university reforms is of a pecuniary character. He said that the Government under the present circumstances could not hold out any promise for providing adequate funds for carrying out any reforms that may be legislated for in this Council. We said that along with the amendment of the University Act there must be simultaneous legislation for separation of secondary education, and so far as that matter is concerned the university will be a great looser if the fee income which it now derives from holding the Matriculation Examination is taken away from it. Therefore, if a secondary board is to be established, then the university has to be compensated for the loss which it will incur on account of the loss of this fee income, which is a substantial figure, and we all recognise this. There has been a good deal of legislation in this

Council much of which till now has been nothing but paper legislation. These Acts have not been given effect to, and we do not know when effect will be given to them. I have no faith in paper legislation, but if the University Act had been amended now even as a piece of paper legislation, that would have provided some incentive to the Government to provide money at the earliest opportunity. It is matter which has been delayed from year to year. The reasons given do not seem to me to be so very strong as to induce the Government to postpone their responsibility in an indefinite manner. I hope the Hon'ble Minister would see his way that the matter may not be further postponed.

Mr. A. F. RAHMAN: In supporting the amendment of Maulvi Tamizuddin Khan I do not wish to travel over the ground that he has already covered. I would like to put forward another aspect, a more general aspect of the question. I hope, however, I shall not be misunderstood. I am not saying anything in a spirit of censure or bitterness, because I realise that the University of Calcutta is a national asset. Its distinguished products have adorned the public life of Bengal as well as India. Its scholars have won for themselves an assured position in the republic of the world's intellect, and its motto "advancement of learning" is amply justified. But, Sir, some of us watching the changing conditions and rapid change in our ideals, as also the newer conception of our duties, have wondered sometimes if the university is taking, or is able to take, that share which is at once its due and its duty in the attainment of these ideals. I suppose, in discussing a question of this nature, it is best to ask ourselves the question whether any reform of the university is necessary, and if this is substantially proved, to ask ourselves the second question, in which direction reform should be attempted. Therefore, Sir, when I ask myself the first question, is any reform indicated in the university, I remember a famous Convocation address in which it was asked, does the University leave on its graduates that impress which is attributable to its own influence and which clearly distinguishes them from other educated men? Does our university occupy in the public mind the position of an independent court whose judgment on all moral and intellectual issues is respected because it is free alike from state influence and political prejudices, and has the university originated or is it in the forefront of any movement which makes for the elevation of society or the betterment of its conditions? After having applied these tests to the Calcutta University, I submit that the university has not sufficiently captured the imagination of the public in so far as it is not yet a guide and an influence, and it is unable to exercise and is not exercising that influence in the development of the life and character of the province which we so desire. On the other hand, it will be noticed, Sir, that though at the present moment the distinctive

feature is the growing enthusiasm for education, its progress is being clogged by two contradictory movements—one is a return to militant orthodoxy and the other, away from religion altogether. The system of education that we have at present, and which was expected to carry the ideals of university to the communities from which the students are recruited, have not been able to justify that hope, and if you notice, Sir, at the present moment there is a wide and almost unbridgeable gulf between the intelligentia and the ordinary mass of people. The present system of education, therefore, is largely out of touch with the lives, needs and thoughts of the people. The university degree which is unfortunately new, not a real test of capacity, has only a marketable value, because it is a passport to Government service, and perhaps, Sir, unemployment which is so acute a problem in these days, is largely due to the extension of university education to classes which previously did not aspire to Government service. If what I have said, Sir, is reasonably accurate, it must be admitted that the university machinery is becoming cumbrous and obsolete and that on account of its territorial jurisdiction the university, which except for a few miles in Dacca, extends over the whole of Bengal and Assam, therefore means a very large influx of students, is unable to conform to the traditional view that we have of a university; instead of becoming a corporation of scholars labouring together in comradeship for the diffusion of knowledge and for the training of men, it has become a corporation of administrators having nothing directly to do with the training of men, but only with the examination of candidates; not concerned with learning except so far as learning can be tested by examinations. And what of the student? He too has suffered. He has been led to value the discipline of his training not for its own sake, but merely for obtaining a marketable qualification. Such a system, therefore, is bound to have a sterilising influence, and the aims and essentials of a real university are being gradually obscured. In a university, in the proper sense of the term, students work in constant touch with their fellow-students in their own and other departments of study. I am told, and I believe, it is true, that it is possible for students in many of the colleges to pass through a whole collegiate course without exchanging one word with their teachers. Again, the university work by its nature should differ from that of secondary or technical or professional schools. Then, again, there must be close association between under-graduate and post-graduate work. Any separation is injurious to both. The most distinguished teachers should lecture to under-graduate students, and the advantage is on the side of the student who comes into daily contact with men of original minds. But what is the actual condition of affairs in Calcutta, apart from the Post-graduate Department? I believe I am correct in saying that the University of Calcutta is really a group of administrative boards, and perhaps the university is suffering from its own weight and the

machinery is showing signs of strain. The senate, in fact, creates all the important bodies of the university and instead of exercising general supervision over them, is in practice content to be guided by them. The complexity and variety of work, the length and unintelligibility of the agenda papers have combined to reduce the senate to the position of an impotent body, and it has only to register assent to the proposals of its subordinate bodies. This produces not only delay and indecision, but it is possible that there may be a grave and insidious danger; the procedure is so complicated that it is difficult to follow or even to understand. It is possible that men on the spot and men who have time at their disposal tend imperceptibly to monopolise all the power and influence of the university, and the university falls into a groove which is fatal to its progress. Consider, again, the *mufassal* colleges. The university hardly exercise any supervision over them. I wonder if university inspectors systematically go out and supervise the staff, the teaching and standards of these colleges. By the Act of 1904, the conditions of affiliation of these colleges were made more exact and more comprehensive, but external regulations have not been able to effect any improvement of the university, and its contact with these *mufassal* colleges begins and ends with affiliation.

Having attempted this necessarily brief review of the position, I think we might ask ourselves the second question, in which direction reforms can be attempted? I submit, the first thing is the urgent necessity for reducing the immense size of the university. In point of numbers it is perhaps the largest university in the world, but just because a university's business is the training of the mind, it can easily become too large. It has to deal with about 30,000 students and the educational control of about 1,000 schools. I do not think the machinery can wholly or satisfactorily deal with this problem. I am not competent to speak of Assam, nor do I think it will be relevant to speak about it here, but I think its desire to have a separate university is laudable and should be encouraged. I do not see why Bengal should not be able to afford other universities? A reduction in the size of the university and in the number of its students is very clearly indicated. The university should be freed from the responsibility of doing work which does not properly belong to its sphere. I mean school work—and I was glad to hear yesterday that the Hon'ble Minister has the constitution of a secondary board in his contemplation. I would like to hear that legislation will be introduced in this Council very shortly for this purpose. Here also I may say in passing that it was refreshing to hear from him that Government at last realise the waste and ineffectiveness of our educational system, and that there is a proposal to introduce vocational and technical courses at every stage of education. It is not out of place to say here that there is one fact that is liable to be forgotten in our craze for literary education;

there is the growing aversion to follow ancestral occupations, and there is a steady migration from rural into urban areas. I realise that Calcutta is the heart of the province, and, therefore, it is the natural centre of a university, but already there is serious segration in Calcutta, and the temptations and expensiveness of Calcutta must be borne in mind. The problem is further complicated by the rapid growth of women's education which by virtue of its importance is entitled to priority in all schemes of expansion and can claim greater and for the present separate facilities. A bold and forward *mufassal* policy is indicated—well-selected colleges or colleges in potential university centres should be encouraged and developed to their fullest extent and *mufassal* colleges should be brought into more intimate contact with the university by granting them adequate representation on the authorities of the university. And, lastly, the governance of the university. Three types of organs are vital to a university—a general body consisting of representative men voicing the needs and demands of the university—a body stimulating, critical, but not in detail controlling. I would like to see the elected element increased, the great land-owning classes and business interests represented, the Bengal Legislative Council represented to act as a liaison between the Government and the university. Secondly, an executive body accommodating means to ends and interested in the provision of means and perhaps mediating between the wide outlook of public men and the possibly restricted conception of scholars, and, thirdly, the authoritative direction of a body of scholars. This is the real heart of a university. But here I am treading on delicate ground. As the university is constituted to-day, there is grave dissatisfaction in my community at the inadequacy of their representation and the insufficient attention that is paid to their needs—their culture, traditions and history. I shall probably be told that it would be ruinous to introduce such things in an educational institution, but just because the university is a university for the Mussalmans also and ought to attempt the intellectual fusion of the two great communities, it is just as well to ensure the co-operation of the Mussalmans. In a truly national institution there must be representation of classes, interests, and communities but so adjusted that no one community is the arbiter of another.

Mr. K. C. RAY CHOWDHURY: We have heard a philosophical and academic discourse on certain aspects of our present Calcutta University. I believe that in 1858 the founders of the Calcutta University modelled it after the London University. At that time they did not foresee the great commercial and industrial expansion of this province. Subsequently minor changes were introduced so as to modify it from an examining body to a teaching body. It must, however, be admitted that it is still half a century behind the Western Universities. I will

give you my reasons for saying this: In Europe, especially in the universities in industrial centres like Manchester, Leeds and Glasgow, they have technological departments, and the university authorities work in close contact with commerce, trade and industry. I say from my personal experience of one of the universities, *viz.*, Manchester University, that they control technological colleges which are part and parcel of the university where they train students in various branches of technology of industries. In Leeds they give degrees in Tanning and Applied Chemistry. The same thing is done in Sheffield and Glasgow. I think it is high time to give up all these academical talks of reforming the university on communal lines or on lines which will bring us into the comity of nations and such other things. What we want is to convert this university into a sort of training ground for our young men to enable them to earn their bread. If you are thinking of getting a new Act for the University, it would be better to take note of the industrial area universities abroad and also of the splendid technological facilities of these universities.

Mr. P. N. GUHA: Mr. President, Sir, Mr. Rahman, who is thoroughly competent to speak about the university education, has given us an idea as to what an university should be like, and so I need not speak anything about the ideals of universities. I am, however, anxious to draw the attention of the House to two questions which are just now uppermost in my mind, and they are secondary education and the higher education of women.

In speaking about the secondary education, I would unhesitatingly say that an awkward *impasse* has been created in Bengal on account of the dual control of the university and the Government over the secondary schools. The Hon'ble Minister said yesterday that the creation of a statutory board of secondary education was under the contemplation of the Government. Sir, we have been hearing this for a long time, but no one knows when such a board will actually come into existence. As the Minister has not been able to give any idea of the possible time, it is evident that he himself has no accurate knowledge of the matter. Sir, everyone knows that the University of Calcutta is not a body to give such training as may develop the minds of the younger generation. It is more or less an examining body and is controlling the examinations of a vast number of schools which are imparting secondary education. That is exactly the point where the mischief begins. The university controls the examinations. All right, but it does not exercise any supervision over the general education imparted in these schools. That is largely under the control of the Director of Public Instruction and so the managing committees and the headmasters of the secondary schools all over Bengal are under the dual control of the University of Calcutta and the Government of Bengal. This is causing a great inconvenience to the public,

and as the founder of a small school in my own village, I have felt the inconvenience repeatedly. Instances are not rare when the Government and the university orders are found contradictory to one another. This has been going on for years and with two masters, the headmasters of the secondary schools in Bengal are finding themselves between the devil and the deep sea. This is a position which must be ended as soon as possible.

Sir, another point to which I want to draw the attention of the House is that the university which controls the Matriculation Examination and which is the sole authority to recognise a school has no inspectorate arrangement of its own. Whether a particular school started in an area is fit to receive recognition by the university has to be determined by the officers of the Department of Public Instruction. That is a handicap in more ways than one. The Hon'ble Mr. Nazimuddin hinted yesterday, and I also know it to be a fact, that for some years past the Government were unwilling to multiply secondary schools. The university, however, does not think likewise and is ready and willing to grant affiliation to any new school found deserving. It will be seen, Sir, that the two agencies controlling the secondary education in Bengal are going in two different directions and that has of late been creating a very awkward situation to the people who want to make cheap arrangements for secondary education in rural areas. This dual control must be ended.

Sir, there is another point and I hope my friend Mr. Syamaprosad Mookerjee will agree with me when I mention the evil moral effect of it. The Calcutta University has fixed the scale of the salary that each teacher of a secondary school must receive and affiliation is not granted or renewed to a school, the accounts of which do not show that the scale fixed has been maintained. The fact is that the scale is much higher than what the village schools can afford to pay, and in these days of unemployment scores of graduates are found ready to serve on lesser pay. The inevitable result is the keeping of false accounts. The House will probably be surprised to hear that nearly 80 *per cent.* of the schools keep such false accounts and the teachers in these schools sign false receipts. The moral effect of such false transactions in educational institutions is ruinous, and the sooner the whole thing is mended the better. Sir, I think that no further time should be lost to amend the University Act in such a way as may either give the full control of the secondary education to it or take the secondary schools outside the jurisdiction of the university. The line of demarcation must be broadly and distinctly drawn.

Then, Sir, lastly I want to draw the attention of the House to the question of the higher education of female students. Mr. Rahman has made a passing reference to it, but all of us know how acute the problem is just now. The number of our girls going up for the

university education is being increased by leaps and bounds year after year, but the number of colleges for them has remained stationary. Being unable to secure seats in colleges set apart for girls, our female students have of late been compelled to take admission into the colleges of men and, being helpless, the University of Calcutta has been compelled to give its approval to the arrangement. Sir, I will not enter into the question of the desirability or otherwise of co-education, but what I want to assert is that a very large number of our girls would never have joined men's colleges if they could find seats in women's colleges, and it is from that point of view that I urge both the university and the Government to take up the matter at once. I say "at once" because the evil effect of the existing arrangement will probably manifest itself in a very short time. A good many things in this connection cannot be said here for obvious reasons, but I know that the middle class Bengalee Hindus who are giving high education to their girls are very much worried over the problem. Sir, we heard some years ago that the amendment of the Calcutta University Act was being thought of seriously, but the question has been shelved, probably on account of the economic depression. The Minister delivered some happy messages yesterday, and I hope a beginning will be made almost immediately by taking up the amendment of the University Act, and I hope that the Minister will give particular attention to the points I have raised to-day.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Mr. SYAMAPROSAD MOOKERJEE: I am glad to find that so much anxiety and enthusiasm have been displayed over this question of the reorganisation of the Calcutta University. It has been asked why legislation has not been introduced so long, and I would at the outset state what the attitude of the university has been so far as this question is concerned. The House will remember that this matter was discussed here in connection with the budget demand last year, and it was pointed out in that connection that if legislation could not be introduced, the blame did not lie with the university. The university, on the other hand, has been all along anxious to see that reforms were introduced which however could not be achieved without legislation. I do not know, Sir, what exactly is the reason why nothing has yet been done in this direction. The observations of the university have been forwarded to the Government not in respect of one Bill as the mover said, but on about half-a-dozen Bills. Two were introduced in this House by Babu Surendra Nath Mullick and Jatindra Nath Basu about 12 years ago, two introduced by Dr. Pramatha Banerjea and Babu Manmathanath Roy about eight years ago, one prepared by the

Government themselves when the late Sir P. C. Mitter was Minister of Education, and another prepared by a Special Officer of the Government of Bengal about five years ago. All these six Bills were forwarded to the university and on five of these at any rate the observations of the university were duly communicated to Government. On the sixth of these Bills we spent about 30 days in committee, of which my friend Khan Bahadur Azizul Haque was a member, and we drafted our report. This report was placed before the senate, but at that time we were informed that it was decided to drop all legislation for the time being; I know the decision was not formally communicated to the university, but that was how matters then stood. The report, together with about 150 amendments tabled by members, was then referred back to the committee for further consideration. The report, however, duly reached the hands of the Minister, the Secretary and the Director of Public Instruction who are *ex officio* members of the senate. I trust this will not be advanced as the reason for the delay in introducing legislation.

As regards the secondary board, the observations of the university are already with Government. Such observations were sent on more than one occasion. The last draft Bill on the subject was framed in 1929 by a Special Officer of the Government of Bengal and the observations of the university, which were based upon the report of a committee, which sat for many days considering its provision, have also been lying with Government for the last five years. The Hon'ble Minister is apparently taking notes of many remarks, and I hope he will no doubt take note of this fact also (which I shall repeat) that the obversations of the University on the secondary education board have been lying with him practically since he came into office, and no action has yet been taken on them.

We are glad from the university's point of view that at the last conference held at Government House a certain agreement was arrived at on the question of university reforms. We pointed out at that conference on behalf of the university that it was not our intention at all to obstruct the passage of a Secondary Education Bill. One point in that connection is as regards the income which the university now derive from fees. Two-thirds of these fees are under the regulations to be spent upon post-graduate teaching. If the university are deprived of this income, it would naturally be difficult for the university to carry on their administration. It is not a question of making a profit, but it is a question of enabling the university to carry on one of their essential functions. This was also recognised by the Sadler Commission. We, therefore, made it clear—and I hope some of my friends here will recollect it—that it was necessary for Government to compensate the university for the loss that the transfer of the Matriculation Examination to the Secondary Education Board would involve. We

also pointed out that if, however, it was not possible for Government to compensate the university, even then, in the opinion of the university a board should be set up, and my own personal feeling is that it would be better for the educational interests of the province to bring the present dual system of control to an end. We, therefore, pointed out that if on financial grounds it was not possible to transfer the conduct of the Matriculation Examination to a new secondary board, it would be worth while creating a secondary board with powers of control over the management of schools. The board would decide questions of recognition, conduct, inspection, distribute grants-in-aid, formulate courses of study, and deal with various other matters which have hitherto occupied the divided attention of the university and Government. That was our proposition. We further made another point clear and that was that the board which was going to be created must be a statutory board—a board enjoying large and extensive powers and authority. Bengal will never tolerate a secondary board which will be subject to Government control. The board must be representative of academic interests and independent in character, with full powers to carry on its progressive policy which it must initiate, if reforms in the sphere of secondary education have to be introduced. These are a few of the essential points which we made clear at the conference, and which I reiterate now.

As regards the general question of the reform of university education, it is not possible for us sitting here, in the course of one debate, to deal with a problem, so vast and so difficult, which has challenged the lifelong labours of distinguished educationists for years. We have the voluminous report of the Sadler Commission, devoted to the consideration of this matter, which occupied their attention for about 18 months, resulting in the production of that monumental report which unfortunately has not been availed of in Bengal to any appreciable extent, for reasons into which I need not enter at this stage. In my opinion, Sir, the chief problem which confronts both the university and the Education Department now is the entire reorganisation of the system of secondary education. It would be impossible for any Government or for any university to undertake reforms in all directions. Mr. Rahman rightly pointed out that there was practically only one university for the whole of Bengal, and, forget not please, what the area of the province of Bengal is; it equals almost England and Scotland taken together. I suppose that if one institution in Great Britain were asked to simultaneously undertake reforms in all branches of education—secondary, higher, and post-graduate—it would be impossible for that organisation to carry those reforms into successful execution. I would, therefore, plead with all the earnestness at my command that the university and Government should at once combine in laying a solid foundation for the reorganisation of secondary education. I am not here to apportion blame to any particular person or body, but it is

my duty to place before the House certain facts as to what the university have done in order to secure a more systematic and a sounder system of secondary education. In 1921, 13 years ago, the proposal first emanated from the university to reorganise the entire Matriculation Examination. This examination, which is the foundation of a university career in Bengal, does not train or equip our students with the necessary qualifications for the purpose of acquiring a successful university education, nor does it endow them with those qualities which are so essential for the purpose of facing the battle of life.

One of the chief propositions contained in these proposals was that the vernacular must be made the medium of instruction and examination in schools, in all subjects except English, and I for one lay considerable stress on this point.

Why has the system of education failed? One of the chief reasons is that in this country the medium of education is not our mother tongue but a foreign one—however beautiful and advanced it may be. A time there was when the question of medium of instruction provoked widespread difference. It is now, however, generally agreed that it is impossible to achieve the best results if training is imparted in our schools through a foreign tongue. If the story of the Spanish Armada had ended differently and Englishmen, placed under the yoke of foreign domination, were compelled to learn everything through a foreign language, they would have appreciated the difficulties through which we Indians have had to pass. No one suggests for a moment that English should be neglected in our schools. Apart from political considerations, English is the principal language through which we can make ourselves familiar with world culture. But that is no ground why our boys and girls should not receive their basic training in schools in subjects like History, Mathematics, Geography and Elementary Science through their mother tongue. This alone will enable them to take a real, living interest in their work, so essential in the formative period of their educational career.

The proposals of the university contained many other vital recommendations. The subjects were revised, the courses were remodelled, elementary science was included, a vocational bias was given to the entire course. It should not be forgotten that the Matriculation Examination serves two purposes. It is a passport to the university. It also comprises a course of general education, availed of by many who do not intend to pursue any further educational activity. The university, while sending its proposals, kept both these points in view. I am not suggesting that they are not capable of improvements. What I say is that they indicate a definite attempt on the part of the university to introduce reforms based on well-balanced principles of academic efficiency. These new regulations were first formulated more than 12

years ago, but for some reason or other they have not yet been finally sanctioned by Government. We received a reply from them last week. A conference will soon be held between the representatives of Government and the university, and I fervently trust as a result of their deliberation the new scheme will be inaugurated without any further delay.

Sir, I have not much to quarrel with Mr. Rahman. Indeed, I must congratulate him on the fine sentiments he has expressed and the fine language in which he has couched his criticisms. He, however, has said nothing new. All that he has said is to be found in the report of the Sadler Commission and much also will be found in the report of the Punjab University Committee of which he was a member. I was, however, rather sorry that he did not refer to one vital need of the hour, to one great obstacle that has always stood in the way of reforms. And that is inadequacy of funds. If the educational system is to be radically improved, Government must spend more on education. It is no use complaining that teaching in schools and colleges is bad. It is bad not on account of any want of enthusiasm or good-will on the part of persons entrusted with its administration, but mainly because of the failure of Government to place at their disposal adequate financial assistance to which they are legitimately entitled. Education will never improve by merely overhauling the administrative machinery. It must, however, be frankly recognised that the present constitution of the university is hopelessly out of date. Eighty *per cent.* of the members are directly nominated by the Governor of Bengal. The Act of 1904 has served its purpose and the sooner the constitution is replaced by a more reasonable, a more representative one, the better for everyone concerned. It is indeed so much a matter of gratification that the university have achieved so much, notwithstanding tremendous odds and difficulties. The greatest achievement is the foundation of a teaching university which has spread the name and fame of the province far beyond the limits of our country.

Both Mr. Rahman and Maulvi Tamizuddin Khan have referred to the question of the representation of different communities on the university bodies. I know, Sir, it is a delicate question, but if the truth is to be told, I do not think that the Muslim community suffers now from any under-representation or that it has any serious cause for dissatisfaction. The Muslim community is represented on the senate by about 20 members out of a total of 100. The Hindus have about 54 seats and others have 25. I should repeat here that the university have nothing to do with the nominations which rest with the Governor of Bengal. Neither am I to be understood as grudging the Muhammadans a few more seats on the senate. But when a particular community complains in season and out of season that it has not

been given sufficient representation on the university, we are entitled to ask—What is the proportion of students belonging to that community reading in the university; what is the number of Muhammadans appearing at the different university examinations? The fact is that *nearly 80 per cent. of students reading in schools and colleges in Bengal are Hindus and only 12 per cent. are Moslems. More than 30,000 Hindus* appear at the university examinations and the number of Moslems is not even 4,500.

Khan Bahadur MUHAMMAD ABDUL MOMIN: That is because the Muslims are left to the cold shade of neglect.

Mr. SYAMAPROSAD MOOKERJEE: Logic indeed! Mr. Momin, I find, took some time to utter these few words. Obviously he had to think them over very carefully. (Laughter.) None knows better than he that there is no substance in them. Now, Sir, this is a fact which must be remembered. The other fact to which I shall refer relates to the practical interest taken by the Muhammadans in the welfare of the university. A few years ago I stated that out of a total benefaction of about sixty lakhs of rupees, ten or twelve thousands of rupees came from the community to which Mr. Momin belongs. So far as benefactions and endowments go, recent years have not witnessed any marked improvement. During the last four or five years the university have received donations worth Rs. 16,00,000. Mr. Rahman says that the university do not occupy that position in the body politic of this country, which a university ought to. Sir, we all want to see the foundations of the university even more deeply laid on the good-will and affections of our countrymen. But even now the university do occupy a warm corner in the hearts of the people of this land. How else could you explain the princely donation of Rai Bahadur Vihari Lal Mitra for the furtherance of Hindu female education? How else could you explain the generous benefaction of Dr. H. C. Mookerjee, an officer of the university, an Indian Christian, who has endowed 2,60,000 rupees in his own *alma mater*. How much, Sir, out of 16 lakhs of rupees has been contributed by the Muhammadans? Rupees 600 only. I am not stating for a moment that for this reason the university can ignore the legitimate interests of the Muhammadans. The university must be a national organisation, looking at educational problems not from the narrow outlook of any particular community, but solely from the standpoint of national advancement and must cater to the needs of all communities and sects. My Muhammadan friends have, however, no cause for complaint. To them I would say—By all means press for your rights, but your rights must be broad-based on quality, on fitness, and not simply on your population and numerical strength in the province.

Khan Bahadur Maulvi AZIZUL HAQUE: Mr. President, Sir, I would not have taken part in this debate but for my friend Mr. Syamaprosad Mookerjee who has turned the tone of the debate in a style which has been familiar to us for the last few days. Sir, I am really surprised to find that Mr. Syamaprosad Mookerjee, who, by the way, is the son of such a distinguished man as Sir Ashutosh Mookerjee who moulded the univeristy according to noble ideals and high principles - it is rather sad to think that year after year Mr. Mookerjee should go on pursuing his favourite topic that Mussalmans have not been prominent in the matter of benefactions to the university. (MR. SYAMAPROSAD MOOKERJEE: "Because this has given rise to criticism.") Sir, in spite of the carping criticism that has been levelled against the Mussalmans of Bengal, I submit that the Calcutta University has not done its duty towards the great Mussalman community. I myself was a student of that university, and I take as much pride in the University of Calcutta as anyone else here. But at the same time I cannot ignore the fact that the university has been disregarding the needs of the Mussalmans all these years. Sir, when the Calcutta University organised the department for the study of ancient Indian history and culture, it forgot to organise a similar department for the study of Islamic history and culture. (A VOICE: "Certainly, and for good reasons.")

Sir, Mr. Mookerjee has referred to 20 Muslim members on the senate, but what I want to submit to him is that even these 20 members are so powerless that they cannot make their voice felt. These 20 Muslim members constitute an insignificant number so far as the administration of the university is concerned. I might give an instance. My friend Mr. Mookerjee will perhaps remember that when the University Reorganisation Committee sat one of the subjects that was placed before it for consideration was that there should be a department of Islamic studies as in the case of ancient Indian history and culture. It was suggested that Islamic history and culture should form a part of the curriculum of the university: just like there is a department for ancient Indian history and culture in which Muslims take so much interest, so there should also be an Islamic department for the study of its cultural history. After all, I do not deny that ancient Indian history and civilisation is not a subject which should not be taught at the university, but at the same time I must say that if the interests of the Muslims were properly looked after there should have been a department for Islamic studies. The University Reorganisation Committee accepted my recommendation, but unfortunately it was thrown overboard. The grievance of the Mussalmans is a legitimate one, and I think that the university should have taken note of it. What is the position to-day?

Mr. SYAMAPROSAD MOOKERJEE: On a point of order, Sir. The regulation for the creation of an Islamic department has been passed.

Khan Bahadur Maulvi AZIZUL HAQUE: What does it refer to?

Mr. SYAMAPROSAD MOOKERJEE: I might explain, Sir, that the regulation is in connection with the M. A. course.

Khan Bahadur Maulvi AZIZUL HAQUE: My friend has altogether misunderstood me. I know it very well that a regulation has been passed by the university for the teaching of Islamic subjects in the M. A. classes, but what I mean to say is that the Islamic subjects are neglected in the case of other courses excepting the post-graduate one. If my friend would be kind enough to recall past history, he would find that when the late Sir Ashutosh Mookerjee initiated the study of ancient Indian history and culture in the university he was also anxious that a department for Islamic studies should be started under the auspices of the university. With this end in view the late Sir Ashutosh asked some of the lecturers and professors of the university as regards the syllabus and books—because there were no proper books available for teaching on the subject. Sir, I have no grievance on that score; I have simply referred to the fact that if the Calcutta University has not succeeded in its endeavours, I submit that it is not due to any want of enthusiasm on the part of the Mussalmans or because the Mussalmans do not take any genuine interest in the matter. As regards the question of endowments and benefactions upon which so much stress has been laid by Mr. Mookerjee, I would request my friends here to remember that the Mussalmans of Bengal have, through circumstances over which they had no control, been relegated to a comparatively poor and helpless position: they have been deprived of all their wealth during the last century or so. I am not speaking this with any bitterness in my mind, but I am quite certain that nobody will take pride in the fact that a community which once ruled Bengal has come to such a pass that they have not enough funds even to educate their children. The Mussalmans of to-day are very poor and this poverty stands in the way of their giving their children a proper education. Sir, this is a question which might lead to controversial debates to-day. If the benefactions of the Mussalmans are so poor as compared with those of other communities it is, I have to submit, due to their poverty. Sir, I feel that I have misunderstood the scope of this motion, but what I want to point out is that steps should be taken at the earliest opportunity to bring about an amendment of the present Calcutta University Act as quickly as possible.

Sir, I am entirely at one with Mr. Syamaprosad Mookerjee that the reason why the Calcutta University Acts have not been amended is because of the financial difficulties, but I would like that the Calcutta University should get as much money as is necessary for the proper adjustment of the higher post-graduate studies, so that the Mussalmans should get an opporunity of pursuing this study. My friend says that the Calcutta University wants money from Government; at the same time they would stand in the way of more representation of Mussalmans. May I ask my friend to whom the public money belongs? Does it belong to a particular community or to the public? If my friend gets any advantage from the public money, how does the representation of special interests come in? What representation that should be and the nature of expenditure is a matter of adjustment. Surely, when public money is asked for for the university, then it is legitimate for the university to see that every interest is properly represented on it. I hope I shall not be misunderstood. I do not think for a moment that the amendment of the Act should be such as to give preponderant interest to the Muhammadans. I do not say that the Muhammadan community should have over-representation, but I say that this community should be properly represented in the administration of the university, and it is this most distressing factor that has been stressed continuously from year to year. We have made our point clear, and we feel that the Calcutta University, though it has many varied interests there, yet it has not been adjusted according to communities. We feel that time has come that all views should be taken into consideration and that this Act should be amended. I feel that if any money is granted in the interest of the Calcutta University for its higher post-graduate studies that money should be given by Government, but that is no reason why the amendment of the Act should be delayed. I have one word to say to Mr. K. C. Ray Chowdhury who was saying that in the past the Calcutta University has acted in such a manner as to pay no attention at all to industrial education. I think Mr. K. C. Ray Chowdhury has been too busy with his trade unions and such things to go to the university and find out what has been done in the last 10 or 15 years there. I would tell him that in the last 15 years the whole policy of the university has been to bring in the education system in such a manner that a student can go to an industrial training with a sufficient amount of general education. If my friend is so anxious, he might go to the Science Section of the Calcutta University which has done very well indeed in this respect in the last few years.

Finally, I would say that the amendment of this Act should be carried out in a way in which all interests should be adequately represented.

Dr. NARESH CHANDRA SEN GUPTA: I have been a latecomer and not been able to listen to the earlier speeches on the subject, but I have listened to Khan Bahadur Azizul Haque, and I could not really gather what he was driving at. At the start I understood him to say that the head and front of the offence of the Calcutta University was that it does not give effect to Islamic studies. It is on that point I should like to make a few suggestions. In the first place, I am in a position to tell my friend that the Calcutta University has made some attempt to introduce the Islamic studies——

Khan Bahadur Maulvi AZIZUL HAQUE: I never said that. I said "nothing tangible."

Dr. NARESH CHANDRA SEN GUPTA: There is an M.A. curriculum which embraces practically all branches of the Islamic studies. It has been provided——

Khan Bahadur Maulvi AZIZUL HAQUE: Nothing of the kind.

Dr. NARESH CHANDRA SEN GUPTA: The M.A. curriculum includes—

Group A: The Islamic literature.

Group B: The Arabic history.

Group C:

Group D:

Group E:

Group F:

That may not be a very ambitious course of Islamic studies about which I am not in a position to say much. But I suppose at any rate it shows that the Calcutta University is no longer going to ignore Islamic studies——

Khan Bahadur Maulvi AZIZUL HAQUE: That is post-graduate.

Dr. NARESH CHANDRA SEN GUPTA: The Islamic studies in the Calcutta University, especially of that character, is best taken up in that course. Then the question arises: Is it in the best interest of the Muslim community that exaggerated importance should be attached to the Islamic studies? Are the Muslim community in need of this particular culture more than anything else to-day? Khan Bahadur Azizul Haque cannot have forgotten, although numerous things have been said here to-day about the grievances of the Islamic studies in the

Calcutta University, that the present position is due to the fact that in the early days when the Hindus were taking up the study of English literature and science, the Muslims were keeping aloof, they were late in coming——

Khan Bahadur MUHAMMAD ABDUL MOMIN: Whose fault?

Dr. NARESH CHANDRA SEN GUPTA: Their own. They attached more importance to their own culture than to modern culture and science. The result was that they were behind the Hindus in the race. Well, if to-day there has been a widespread feeling amongst the Muhammadans for higher education in modern culture, if to-day you divert the attention of those who are seeking the higher culture in a very large measure from science and modern studies to a course of Islamic studies, it may be doubtful whether you would be really satisfying the needs of the Muslim community and whether it would not be putting back their progress further. There is another thing: these studies which have been spoken of, for which the Muslim under-graduates seem to be thirsty so much, that have been adopted in the course of the Dacca University for several years past, is it not a fact that these studies in the Dacca University are not very encouraging? The number of students who flock to that university is overwhelmingly large. Sir, an index of what the general feeling of many Muslim under-graduates is, that the question is whether there was any further necessity for multiplying institutions for giving an under-graduate course in Islamic studies when you have a department of these studies in Dacca which is not fully manned. There, Sir, if the head and front of the offence of the Calcutta University to the Muslim community were its neglect of Islamic studies, there are at any rate cogent reasons which might be advanced for it. The extent of the Islamic study course in Dacca, which is not very far from here, where students desiring to study the Islamic studies could go, and the absence of enthusiasm amongst the Muslim under-graduates to take that course there, would be sufficient justification for caution in the matter. Sir, I am surprised that Khan Bahadur Azizul Haque has made it a complaint that the Sadler Commission's recommendations should have been ignored in the Calcutta University, of all places the University for which the Commissioner was appointed. This is, I admit, a most regrettable fact. But I suppose Khan Bahadur Azizul Haque has thoroughly studied the recommendations of the Sadler Commission and has made some attempt to assess the financial consequence of the reform suggested by this Commission. Well, it is well known that the financial circumstances have been one of the most cogent considerations which has prevented the Sadler Commission's recommendation being carried. But apart from that, the Khan Bahadur has acknowledged

that the Calcutta University has made some progress and some of the recommendations of the Sadler Commission, so far as the Calcutta University could give effect to them, have been adopted or adapted. Well, Sir, that being the position, it is difficult to appreciate why there should be this spread of antagonism to the Calcutta University displayed by some of the speakers here. (Question.)

So far as the purpose of the motion is concerned, asking for the early amendment of the Calcutta University Act, there cannot be two opinions that the Calcutta University Act has to be amended; but the amendment of the Act is a fit proposition and should not be taken in hand unless the Government and the university are prepared to put the Bill. It will not do to bring an amendment now for the purpose of carrying out small reforms here and there and leaving greater problems unsolved. It is only when you can find resources for carrying out the reform which ought to be made that the Government would be justified in taking up the work and taking it up in the spirit of thoroughness. With regard to that I must say that I speak as an outsider. I have not that amount of inside information that Mr. Mookerjee or Khan Bahadur Azizul Haque has, and I am not in a position to say what has been the position of the university or the Government in regard to this matter. I am a stranger to the Calcutta University. (A VOICE: "Why?") Because I am. Well I think I might formulate a catalogue of grievances much longer than that of my friend Maulvi Tamizuddin Khan. Well, if I choose, I might also transform this grievance into a grievance of my community or my locality, but I have no desire to do this. I recognise from the outside that the Calcutta University, in spite of its great difficulties, in spite of its obvious dificiencies, is holding its own and is helping everybody to go ahead.

With regard to one matter which has created a certain amount of feeling by the reference made by Mr. Syamaprosad Mookerjee to the benefaction by the Hindus and Christians to the Calcutta University as distinguished from the Muhammadan community; I must say that perhaps Mr. Mookerjee did not relate that reference in the spirit in which it has been taken. In any way, the absence of benefaction is not a reason why the Muslim should be neglected, if at all Muslims were neglected in the Calcutta University. Some of them may feel that this lack of contribution to its funds will be no answer to their complaint. The whole question is rather being wholly neglected. I submit that no strong case has been made out by Khan Bahadur Maulvi Azizul Haque and so far as the grievances that I have heard are concerned, I can formulate a catalogue of grievances of my own just as long as his.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am afraid I cannot allow the criticisms which have been made by my friend Mr. Syamaprosad Mookerjee against the complaint of inadequate representation

of Mussalmans made by my friends Maulvi Tamizuddin Khan and Mr. Rahman go unchallenged. He has put forward two criticisms, namely, that the Mussalmans have not made the same amount or any amount of contribution in money to the university and also that the number of students in the university belonging to that community is so small that the representation of 20 *per cent.* which they are getting at the present moment is not inadequate. These are not new criticisms so far as politics are concerned, because we have heard the same arguments trotted out before against communal representation in the future reforms. I was very much surprised that my friend Mr. Syamaprosad Mookerjee should bring in these arguments now, and in the sphere of education which of all things should not be considered on the basis of pounds, shillings and pence. I admit that the Mussalmans are poor, that individually they have not made that contribution to the university funds as has been made by the members of the sister community, but I would like my friend to remember that the university is supported at least partly by public revenues towards which the Mussalmans of this province contribute to the extent of more than 85 *per cent.* He and Dr. Naresh Chandra Sen Gupta have said the Mussalmans did not take to English education as early as the Hindus and as they do not supply any considerable proportion of the students, they cannot claim a greater representation. I would remind my friend again that the Mussalmans were never averse to education in its broader sense. Perhaps the Mussalmans of Bengal, as a matter of fact, the Mussalmans of India, were much more educated than any other community before the advent of the British in this country. The reason why they did not take to English education as easily and as quickly as the others is well known to everybody. Of course, they are to blame for their want of political foresight, but at the same time I want to state here definitely that there are other factors which led to this neglect on their part. When the university was created, they did not cater for their needs, and the Mussalmans held themselves aloof from the education imparted in this university, because the education imparted there was wholly unacceptable to them. No attempt was made by Government which was entirely under the leading strings of the Hindus at that time to provide for an education which would have been acceptable to the Mussalmans. They did not care to see that the educational system which was provided was not at all palatable to the Mussalmans, and since the Mussalmans were not represented in the university, they could not mend matters and had to stand aloof. Even now the representation that they have got there does not give them sufficient weight to procure the requirements of the Mussalman students. It is not fair to say that the Mussalman community as a whole are tardy in their generosity towards educational needs of the province. Look at the big endowments, look at the many *wakfs* which are all made in

the interests of education. The Mohsin Fund is a monument to show that the Mussalmans did not neglect the educational needs of their community. Therefore, if the university did not care to provide for a system of education which the Mussalmans wanted, it is not the Mussalmans that are to be blamed for not taking to English education. Now that the Mussalmans have shown a great enthusiasm for English education and their interests have been aroused, there is no reason why they should not get proper representation in the administration of the university. As a matter of fact, because the Mussalmans are backward and there are other backward communities in Bengal, it is all the more necessary that they should be properly represented in the university to push forward the educational needs of their communities. The Hindus have already got their advantageous position, but they should not monopolise it. Apart from my criticisms on these two points, I am in entire agreement with my friend Mr. Syamaprosad Mookerjee. I think the Government is certainly to blame for the tardiness which it has evinced in this matter of university legislation. The mills of Government move very slowly; they grind, but they do not produce anything at all. Maulvi Tamizuddin Khan, by bringing forward this motion, wants to get a definite reply from Government to the effect that they are going to take action in the matter and not that it is under their consideration or is being considered. It is time that the reforms in this direction should be brought into existence without delay.

Maulvi ABUL KASEM: My friend Dr. Naresh Chandra Sen Gupta, a very distinguished graduate of the Calcutta University, said that he was a stranger to the university, and I think I am stranger to higher education itself, because I neither can claim to be a distinguished graduate nor to have any knowledge in the administration of the university, and I think it would be sheer impertinence on my part to intervene in this academic discussion, but as a man in the street has his say, so I too have my say. I have heard with interest and pleasure the remarkable speech of my friend Mr. Syamaprosad Mookerjee. In fact it is, and I for myself consider it an annual treat which this Council has every year when there is a debate on the university question. As regards the few remarks which fell from him as side remarks about the Mussalmans, they have been completely, fully and adequately replied to by Khan Bahadur M. A. Momin, and I will not go into them. But I am at a loss to understand on what issue the Council is going to decide, because the question as placed in the motion is the neglect of Government in not bringing in a legislation. Therein Mr. Syamaprosad Mookerjee and Khan Bahadur M. A. Momin stand on the same side and so do I. The university does require reform and, therefore, if that is the issue, I think we should carry that motion hands down. But other questions have been raised, and there is unanimity of opinion that our secondary education is defective for

which the university is not wholly responsible. The question is that the university cannot prosper and cannot advance education, unless the secondary schools which are the feeders of the university are properly conducted. I believe it is far better to have a numerically smaller number of graduates if we can produce an intellectually superior kind of men. There are some people who take pride in the fact that the university has produced so many graduates or that the secondary schools have so many students, but what I think best is that the students should be so trained that the very best of them should go to the university and the rest enter life, but that has not been done. I may be permitted to say that the students who pass the Matriculation Examination are, as at present, controlled by the university and by the public schools, not very satisfactory materials either for the university classes or for actual life. Therefore, although this is not the issue at the present moment, I hope and trust that Government will take early steps to see that secondary education is improved. Then the question of funds comes in. In the first place, I join hands with Mr. Syamaprosad Mookerjee that more money should be spent on education and in the right direction than is done at the present moment. Secondly, I would add, and so far as I am concerned I speak like a layman, that if your funds are small, then cut your coat according to your cloth: have a limited number of students and give them better education. I would suggest that if you cannot provide funds for all of them, the number of secondary schools be reduced and better education imparted. At the present moment we find that your teachers of secondary schools do not get a living wage, not to speak of a comfortable living. So I think your grant-in-aid schools should be such that they should pay their teachers adequately. Only the other day I was told by a teacher that those who take up service under the Education Department are those who have not been able to enter any other department. If people can get any appointment elsewhere, none will come to the educational line, because of the small pay offered in this line. What is more, I wish to draw the attention of Government to the fact that in our schools every teacher in order to make both ends meet has to undertake private tuition. They spend in this way half their energy in the morning before they come to school. As regards private tuition I do not consider it to be very advantageous to the promotion of education. Secondly, so far as I know, although I know very little, students are made to read in school with a view only to passing the annual examination or the Matriculation Examination. Passing of examinations has become their ideal. Stress is laid only on the failure or the success in examination, but not on the imparting of real education. It is far better to abolish these examinations rather than make the students pass them and commit certain passages from their text-books to memory. With these words I support the motion which has received almost unanimous support from the House.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: At the very outset I would like to congratulate Mr. Rahman on the very clear and statesmanlike exposition of this problem. He broke new ground and gave an academic trend to the discussion, but unfortunately very soon we got back to the old track. Before I deal with the various criticisms that have been levelled against Government for not taking any definite step as regards legislation for the reform of the University's constitution, I would like to lay stress on one fact, and that is, whether there was justification or not on the part of Government in not taking this attitude. Mr. Syamaprosad Mookerjee said that this question was discussed last year: it is a very minor correction, but I would like to remind him that this question has been discussed here every year during the budget sessions for the last four years, and I have clearly explained all along why so long Government have not taken up this question. Sir, the best justification therefor is Mr. Syamaprosad Mookerjee's own speech itself. He drew the attention of the House to the vast area of this province, to the large number of schools in this province, namely, something like 1,200 schools and 500,000 students, but with only one university to control all these. Sir, the first essential for legislation with regard to the University of Calcutta is to take away from the university the very heavy burden of looking after secondary education. I have all along told the House that it is no use coming forward with legislation for the reform of the university's constitution, unless we are in a position to make some satisfactory arrangement regarding the control of secondary education, and any satisfactory arrangement for the control of secondary education rests entirely on the question of finance. As the House knows very well, in our financial position it was impossible for Government to undertake legislation when they could not be in a position to make a satisfactory settlement of the financial question.

Mr. SYAMAPROSAD MOOKERJEE: Why did you then pass the Rural Primary Education Act?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, when the Rural Primary Education Act was passed, Government did not expect that the economic condition of the country would be so bad. There was no reason to think that for four years continuously, after the passing of the Act the economic depression would continue, making it impossible for Government to impose the cess under that Act. But at the present time when the Government are having continuous deficit budgets, it is impossible to provide a sum of 1½ or 2 lakhs of extra money, which will be necessary to compensate the university if the control of secondary education were to be taken away from them. I, therefore, think that there was every justification for the delay. Government have always felt the necessity of reforming the constitution of the Calcutta University, and that is why they appointed a Special Officer to draft

a Bill. That Bill was not Government's Bill; it was drafted by the Special Officer and sent to the university for their opinion. I do not think it is any use, however, going back to the history of that. I see Mr. Syamaprosad Mookerjee is smiling; perhaps he thinks that we are unable to explain the position satisfactorily in this connection. It was the delay on the part of the University, Sir, that prevented the Government from bringing in a Bill earlier.

Mr. SYAMAPROSAD MOOKERJEE: What about the five other Bills brought before that?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Those five other Bills were patched-up Bills and not comprehensive Bills. They did not tackle the constitution of the university as a whole. They dealt with particular aspects of it, and that was the chief reason why Government opposed them and undertook to bring in a Bill of their own.

Mr. SYAMAPROSAD MOOKERJEE: On a point of order, Sir. Can we not insist on the Hon'ble Minister sticking to one point? The reason why the University Bill could not be introduced is given by him as the reason why the Secondary Bill also could not be introduced.

Mr. PRESIDENT: That is not a point of order. It is mere interruption. I think the Hon'ble Minister should be allowed to develop his argument in his own way.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am trying to explain the position, Sir. Before Government came to the final decision to drop the university legislation, delay took place on the part of the university in submitting their recommendation on the draft Bill. Let me make that point clear to the House. The facts are as follows: Dr. Jenkins' Bill was sent to the university for their opinion and the university took a very long time in submitting their opinion. If the university had sent their opinion earlier, I think the position would be quite different and Government might have been able to undertake legislation at the time; but, later on, when I assumed responsibility for the Education Department, I found that it was no use going on with the reform of the university unless and until we found ourselves in a position to take up the reform of secondary education. So we dropped the idea, but we did not inform the university officially that we had done so. It may have been that in the course of discussion in this House that I gave out the idea——

Mr. SYAMAPROSAD MOOKERJEE: No, you wrote a demi-official letter to the university.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have my doubts but I won't contradict Mr. Mookerjee; but I think that the point is altogether beside the issue. The point, as I have explained before, is that of tackling the question of secondary education. On this I would just digress for a minute. Mr. Mookerjee has suggested that one chief reason why the standard of secondary education is poor in this province is because the medium of instruction is English. I am afraid, that is a very poor argument, if I may say so. In all other provinces in India the medium of instruction is English, and there is no reason why our standard of education should be inferior to that of other provinces.

Mr. SYAMAPROSAD MOOKERJEE: Has there not been an agitation in all the other provinces to change the medium of instruction?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes I know that, but nowhere has the vernacular been yet adopted as the medium of instruction.

Sir, I have always held, and I want again to repeat in this House, that one of the chief reasons why our standard of education is going down, is the multiplication of educational institutions in areas where there are already such educational institutions in existence (Cries of: "No, no.") and I want to correct the misunderstanding that is created in the minds of the people by statements publicly made on the subject of the reduction of schools. A typical example of that is contained in the statement made by Mr. P. N. Guha to-day when he said that Government was opposed to the multiplication of schools. That is not correct, Sir. Government is not opposed to the establishment of schools in areas where there are none, but Government is certainly opposed to the establishment of schools in areas where a school already exists, but in areas where one or two schools can serve the purpose, if in those areas a third or fourth school is established, Government will certainly be opposed to it and no better argument can be furnished in this regard than what Mr. P. N. Guha has himself given, though I do not agree with his statement that 80 *per cent.* of the schools in this province make faked statements for the purpose of complying with the rules of the university. I admit that 80 *per cent.* is certainly not the correct figure, but there must be a certain number of schools which are compelled to do so by necessity, and what are the reasons, Sir? The reasons are that the Government of Bengal is not in a position to make adequate grants to the 1,200 schools in Bengal and the majority of these 1,200 schools have not got an adequate number of students, which will make them self-supporting institutions. The average number of students in these schools is something like 150 to 200, and I think in some cases less than that, and to run such a school is not an economic proposition.

Dr. NARESH CHANDRA SEN GUPTA: As a matter of fact, can any secondary school be at all self-supporting?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes, with 400 to 500 students in each school, we can materially reduce the number of secondary schools and with advantage, and if Government can be in a position, either now or in the immediate future, to give adequate grants to the majority of such schools. I, therefore, hold that public opinion must be created in favour of the survey and the acceptance of the recommendation of either the Government or of the committee that will come into being as a result of the survey that will be made. That is a fundamental thing, Sir, and I may repeat as I have always said that on this question public opinion should be created. If we want our education to be improved, it is necessary that unnecessary schools should either be amalgamated or abolished.

Sir, in my opening speech I referred to the Conference that was held at Government House, and I am very glad to inform the House that Government consider the results of the Conference to be very satisfactory; and I think that the results encourage Government to examine the question of legislation on both these subjects, *viz.*, secondary education and university education; but at the same time I must inform you that a great deal will depend upon the results of the survey. (A VOICE: "When will the survey party be formed?") I think the House will agree with me and agree also with what Dr. Sen Gupta said, *viz.*, that it is no use having a piecemeal legislation for university education. We cannot improve the standard of education by merely reorganising the constitution of the university. It must be from the bottom, and there must be a comprehensive scheme: reform should be based on a comprehensive scheme, taking every stage of education into consideration; it will not do to reform the top, leaving the lower portion in a diseased condition. We must have reform from the bottom to the top—and the whole scheme of reforms must be there—and with that end in view the Education Department is taking up the question—not only as regards primary education, but also as regards middle English schools, high English schools, and the university. And I think it will be possible in the very near future to come up with definite proposals before this House.

Before I sit down, Sir, I should like to make just a few remarks about the statement made by Mr. Syamaprosad Mookerjee. He accused us of taking a year before replying to a letter from the university on the Matriculation Regulations. I am speaking from memory, but I am positive that the university took two years to send in their proposals with regard to the Matriculation Regulations.

Sir, Mr. K. C. Ray Chowdhury just told us as to how the Calcutta University should be reformed. I am sure no one in Bengal, or anyone in this House, can tolerate the idea that the Calcutta University should be converted into a technical institute. The whole idea is absurd, if I may say so. Can anyone imagine Cambridge and Oxford being converted into technical institutes? There may be a very good justification for having technological institutes in Bengal, but to convert the Calcutta University, one of the two universities in Bengal for imparting higher education, into a technical institute is, I am afraid, a very bold idea and a preposterous suggestion.

Sir, the question of girls' education has also been brought in by Mr. Rahman. I may inform the House that we are having a separate Conference as regards girls' education comprising the representatives of the fairer sex, and also of the two universities, to discuss how we should proceed. We are also contemplating an Advisory Board of Women to advise us on the question of girls' education. I attach to this question a very great importance, because there is, at the present time, a growing demand in the province for the education of girls, and I feel that this is the time when we should frame a policy which will direct the education of girls on the right lines, so that we may not make the same mistakes as we have done in the case of boys. Government is fully alive to the seriousness of the situation, and we propose to tackle this question in all seriousness. I do not think it is necessary for me to go into the communal question that has been raised. The discussions of the members of the Council will be at the disposal of the Government at the time when Government bring in a comprehensive scheme of legislation, and when the opinion of the Council will be taken. I hope that in view of what I have said the hon'ble member will see his way to withdraw his motion, and I think that he will realise that this is a very serious question and that nothing should be done without mature consideration.

Maulvi TAMIZUDDIN KHAN: As the Government is not disposed to accept my suggestions, I beg leave to withdraw my motion with the permission of the House.

The motion was then by leave of the House withdrawn.

Maulvi TAMIZUDDIN KHAN: Mr. President, Sir, I beg to move that the demand of Rs. 5,31,000 under the head "31A—Education (Transferred)—University—Grants to universities" be reduced by Rs. 100 in order to draw attention to the neglect shown to primary education *vis-à-vis* university education.

Sir, my object, is, as I have stated, to draw attention to the neglect of primary education *vis-à-vis* university education. I must, first of

all, clear up a possible misunderstanding. A similar motion was moved last year by Mr. Dain. It was not exactly similar, but it was couched on similar lines to a large extent. His motion was that university education should be slowed down until primary education advanced further, but my motion should not be understood to be one like that. I do not say that university education should be slowed down at all: on the other hand, the last motion we have discussed shows a desire on the part of this House that, if possible, university education also should be further accelerated. But there is no denying the fact that in comparison with university education our Government has done very little for the real needs of primary education. Mr. Dain referred to another important province of India in this respect, and said that so far as the province of Bombay was concerned it did much more than what Bengal had done for primary education. For example, we spend about Rs. 70 lakhs for primary education, whereas Bombay spends about Rs. 166 lakhs. That shows the utter neglect which our Government has been showing to the needs of primary education in this province. The Reverend Mr. Nag will, perhaps, come forward to pay compliments to the Bengal Government as he did last year, on account of the fact that, even with this 70 lakhs of rupees, the Bengal Government has been able to maintain a larger number of primary schools and also educate a larger number of students than Bombay. Sir, that may be a matter for congratulation on the score of the efficiency and evident parsimoniousness on the part of the Bengal Government, but, surely, we cannot congratulate the Bengal Government on its large-heartedness, so far as primary education is concerned. On the other hand, I should rather say that the Government of Bengal has been culpably negligent about the needs of primary education. The Primary Education Act has been passed as we all know; but it has not yet been found possible to give effect to it. The reason is that Government does not consider the present time to be opportune for imposing the cess for introducing free and compulsory primary education: no doubt, times are bad, and the people who have to pay this cess are on the verge of starvation. Therefore, one naturally thinks that this is not the proper time to put into operation the Primary Education Act, but may I ask the Government to explain why in other respects the imposition of additional burden on the people is not also considered inopportune? For example, so far as the *khas mahals* are concerned, Government has thought it fit to increase the rents in the *khas mahals* to a large extent, in spite of the economic distress. Here, I must congratulate the *zamindars* of this province on the good sense they are showing in not attempting to enhance the rents of their tenants under present conditions. Again, in other directions also, so far as the realisation of dues are concerned, we find that private money-lenders seem to be considerate nowadays: in many cases they are prepared to forego their claim for interest and be satisfied with the realisation of

the principal alone. But people all over Bengal who are indebted to the co-operative societies know very well of the harassment they are undergoing under the present conditions on account of the pressure that is put upon them for the realisation of the dues. I do not mean that the dues should not be realised. But here Government consider that the time is not opportune yet that money must be exacted from the people. Similarly, when the question is to fight the terrorist movement, there is no dearth of money. Money has been found whenever Government considered necessary. The fact is that Government do not attach the same importance in the case of primary education, as it does in so many other matters.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Maulvi TAMIZUDDIN KHAN: Sir, I was referring to various kinds of taxations that the people are being subjected to even in spite of their economic distress, but the needs of primary education are not being properly looked after. Sir, it is a matter of such great concern and it is a matter of such vital importance to the growth of the nation that I think the nation is prepared to undergo some sacrifice even under these hard conditions. I was referring to the expenditure on the terrorist movement. In that connection I can also refer to the punitive taxes that are imposed in certain parts of the province. Government, of course, were compelled to impose this tax, but the people all the same are paying it, though they have to pay it even under great distress on account of the economic condition. The fact remains that if people are subjected to some tax imposed by the Government, the people have to pay that. I would like to say, Sir, that so far as the education cess is concerned, it is the least objectionable kind of cess that can be imposed on the people, because it is of a remunerative kind, since primary education really increases the tax-paying capacity of the people as it increases their efficiency and increases the earning capacity of the people. Therefore, Sir, the people are naturally more prepared to pay the education tax than any other tax. I think on mature consideration that even we should accept the lesser evil of being compelled to pay the education cess rather than go without primary education for an indefinite time. The Government is waiting for better times to come. Sir, I do not know myself when such time will be coming. I for myself am afraid that the depression will continue for long years to come and if the Primary Education Act is not enforced till better times arrive, I think Government will be showing a culpable negligence to the primary necessity of the people in this country. Sir, university education is necessary,

but after all it is more or less in the nature of a luxury. I do not know what the Hon'ble Minister will think of a person who has no money to purchase the necessaries of life but at the same time indulges in luxury. So far as university education is concerned, it is also a necessity with us to a certain extent. But is more a necessity of the Government than of the people, because our secondary schools and colleges provide the Government with the necessary staff that they require for carrying on the administration. If the Government at all thinks it necessary to introduce free and compulsory primary education in this country, but must wait till better times come, then Government should think of other sources of money than the education cess. They must explore other sources of income. What about the Rs. 167 lakhs which we are going to get this year from the jute export duty? Cannot this money, or a large portion of this money, be set apart for primary education? But the Government is not going to do that. Government must make up its mind. If the cess is not going to be imposed, we want to know from where the Government expects to get money enough to enforce the Primary Education Act. We must have that and must have that soon. We know we are getting reforms from which great things are being expected by a large section of the community, and if that is going to be at all successful, Government should think of some measure whereby they will be able to introduce free and compulsory primary education in the country. The feeling in the province is very keen about it, but Government has been treating this in a shilly-shallying manner for the last three years. Sir, I think the future progress of this province will be nipped in the bud if free and compulsory primary education is not introduced in the near future.

Mr. NARENDRA KUMAR BASU: May I draw your attention, Sir, to my motion No. 489. May I move it now along with Maulvi Tamizuddin Khan's motion, because it deals with the same question—primary education?

Mr. PRESIDENT: We will deal with motion No. 489 separately. The discussion may precede 469 or Maulvi Tamizuddin Khan's motion.

Mr. NARENDRA KUMAR BASU: I beg to support the motion moved by Maulvi Tamizuddin Khan. So far as primary education is concerned, it is a matter of primary importance, especially in view of the new constitution to which a large part of the country is looking forward. I submit, Sir, that having regard to the fact that under the new constitution you are going to have an electorate of several millions, it is absolutely necessary that the Government, if not the present Government, at least the future Government, should like to

ve a policy of educating their masses. It may be the policy of the esent Government to keep the masses as much in the dark as pos- ble, but then that will have a fatal consequence so far as the country concerned, if the new constitution is to satisfactorily function. Sir, the hon'ble members might have seen from the budget, out of a tal budget of Rs. 1,16,71,000 under "Education (Transferred)," imary education comes in only for about Rs. 26 lakhs, that is to y, very much less than one-fourth of the total grant, that is to y, for the education of the masses, the education of more than 98 99 *per cent.* of the population, Government proposes to spend the ncely proportion of less than 24 *per cent.* of its none too large ucational grant, and of that sum only Rs. 8,500 is provided for the vernment primary schools, and these facts, though well known to the members of the House and also to the members of Government, very conveniently forgotten when the budget is framed and voted on. Therefore, it is necessary to remind at least some of the mem- rs in season and out of season and to din it in their ears. Where e Government primary schools are I do not know, whether they are the Secretariat or anywhere else I do not know, but Rs. 8,500 is that the Hon'ble Minister proposes to spend on them. I submit at it is an extremely inadequate grant and it is up to the Hon'ble inister to rise up and say that he has considered that this grant is pelessly inadequate and if it has not been possible to allot a larger m in the present year, he will certainly do his best to see that primary ucation is encouraged by Government next year by making a really equate grant towards it, and he will also rise up and say that he s in his mind to educate the masses and to see that the new con- tution when it is brought into operation will be one which will nction with an educated electorate and, therefore, will really work r the good of the country and not as the present electorate functions.

Mr. H. S. SUHRAWARDY: Maulvi Tamizuddin Khan has made impassioned speech in favour of primary education and pointed out this House that the grant is extremely inadequate. Who is there this House who is not in sympathy with him; who is it that does not nt the grant to be increased and primary education introduced as rly as possible. But the difficulty that we are met with initially is at there are no funds. It is easy enough for all of us to get up and y that the grant is inadequate, but we can hardly cry for more with y sense of responsibility. I feel perfectly certain that Government conscious that the grant is inadequate, but it is no use talking about with inelastic funds. Maulvi Tamizuddin Khan realises the diffi- lty and, therefore, he has suggested that the education cess should levied and collected. He faces the issues boldly. I ask him can create sufficient public opinion to have the cess introduced? Can

he create a public demand for it? We have to contend with two sections—the Hindus and the Mussalmans. We remember distinctly that the Hindus fought tooth and nail against the introduction of primary education, so that they may not be required to spend any money towards it. The whole point at that time was that they were not prepared to meet its liabilities, and there was a considerable amount of discussion as to what should be the proportion which they should pay. So far as the Mussalmans are concerned, they have always been in favour of it, and I feel that if there could be a strong demand from the public, Government would not be able to oppose that demand. If the mover of the motion thinks that there is such a demand—we have not heard within recent times, particularly after the difficulties through which we have been passing during the last two years of any demand for the imposition of the cess, we have not heard that the public are prepared to make further sacrifices or that they have certain reserves saved from their starvation diet—if there is that demand, then it is easy enough to find the money if the piper is prepared to pay. So far as the jute export duty is concerned, the votaries of every department claim to have a share in it. But I fear no one can get a share as long as our finances continue as they are. The dues of the Government of India are still a burden on our shoulders; then there will be further expenditure on the reforms and the current and growing expenses of Government have to be met, and the jute export duty by itself is not sufficient to wipe off the deficit. Then what is the good of asking a portion of this amount to be spent on primary education? If it were possible, all of us would like to set apart the whole of it for primary education. I remember distinctly that in previous debates from 1921 onwards whenever there was a demand that the jute export duty should be restored to Bengal, everyone demanded that it should be earmarked for primary education; this is no new cry, but at the present moment it is no use talking about this with a deficit budget.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I am surprised to hear the statement which Mr. Suhrawardy has just now made. We all know that he has a very susceptible heart, and I think his recent occupation of the back benches of the Government has given him some inspiration which has led him to talk in the way that he has done.

Mr. H. S. SUHRAWARDY: I can assure the Khan Bahadur that I have not been contaminated by sitting in the back benches of Government.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I did not say he has been contaminated. This cry for primary education has been so

consistently persistent in Bengal for the last few years that I am surprised that anybody can at this time even whisper a word of opposition to the demand which has just been made by Maulvi Tamizuddin Khan. We have repeated this demand for many years, and we have always received the same reply from Government that although they are in perfect sympathy with the demand, they find it very difficult to accede to our request because of the economic distress prevailing in the province. Maulvi Tamizuddin Khan has just referred to the windfall which we have just received from the Government of India in the shape of a portion of the jute export duty. He has suggested that at least a portion of it should be utilised for free and compulsory primary education. I think it is a very just demand. I know that this money that we have got from the Government of India is not sufficient to meet the deficit or to balance the budget. But supposing that we did not receive the money, I think the Government would have gone on just the same. Therefore, I say that the suggestion of Maulvi Tamizuddin Khan to utilise a portion of this money for primary education is a very just one. I cannot conceive of a more important project than the primary education on which this money could be more usefully spent. This money comes mainly from the cultivators of Bengal and the cultivators are the persons who are going to be benefited by free and compulsory primary education and so it is only meet and proper that this amount should be spent on it. Mr. Suhrawardy has asked if Mr. Tamizuddin can say that the people will be prepared to pay a cess in this time of economic distress. I feel that Government is exaggerating the amount of money that is necessary for starting free and compulsory primary education. I think that if they are really serious about it and are not guided entirely by the advice of their experts who are sometimes more embarassing than helpful and if they take the people into their confidence, I am sure that primary education can be imparted at a much less cost than what Government has estimated. Even taking for granted that that amount of money is necessary and if Government cannot find that money from any other source except by taxation, I am prepared to say very definitely and unequivocally that the people of Bengal will welcome that tax for imparting free and compulsory primary education. I speak with authority because in the course of our investigation as members of the Moslem Advisory Educational Committee in most of the districts of the province we categorically inquired and asked witnesses questions on this point and the opinion was unanimous that if necessary they were willing to pay this tax to have free and compulsory primary education, and in this opinion I think the other members of the committee who are present here will support me. Therefore, it is no excuse for Government to say that they cannot start free and compulsory primary education, because they have no money or that they think it is inadvisable to tax the people for that purpose. We have waited too long and I can assure the Government

that this dilatoriness is really creating and has created a great deal of dissatisfaction among the people, and it is for the interest of everybody concerned that Government should take immediate steps to meet the demand which is persistently made here and elsewhere.

Mr. J. M. BOTTOMLEY: Mr. President, Sir, I intervene at this stage of the debate only for the purpose of giving the House the information which Mr. Narendra Kumar Basu so ardently desired. I am sorry he has now left the House. The cut motion which he moved refers to a grant of Rs. 8,500 for Government primary schools. I may tell the House at once that it is not the policy of Government—I think I can speak for Government in this matter quite frankly—and it has never been the policy of Government to maintain primary schools of its own, except in circumstances when it was absolutely essential. This small amount—which Mr. Basu thought was so ludicrously small—this small amount of Rs. 8,500 is divided between the upkeep of five small primary schools maintained by Government on the extreme outskirts of the Cox's Bazar subdivision, on the Burmese border, for the reason that there is no other way of having primary schools there. This accounts for rather less than half of the above demand. The other part consists of the upkeep of 22 peasant girls' schools maintained in the far distant parts of Khulna, Jessore and the 24-Parganas.

Mr. K. C. RAY CHOWDHURY: I am sorry, Sir, my friend Mr. Narendra Kumar Basu has left the room. But he was insinuating that I was on the defensive and not on the offensive. On the contrary, Sir, I have the greatest reason to be on the offensive as I represent the working classes whose ignorance is exploited by every member of the educated class. The best flowers of the university—including doctors, legal practitioners and others, everybody concerned in educational matters—seem to disregard the interest of the working classes that I represent here. I won't use any hyperbolic language, but I do say that it is almost criminal to neglect the interest of the labourers. In this connection I may point out to my friend Mr. Narendra Kumar Basu or, for the matter of that, to my friend Mr. Tamizuddin, that if they had exchanged places with Mr. Nazimuddin, they too would have given the same reply, *viz.*, no money, nothing doing.

So I would suggest that along with primary schools a primary school of economics should also be started in this country. As for money, Sir, I consider that money is plentiful if only you will go out for a loan. Why can't you follow the example of the United Provinces Government and issue bonds just as the United Provinces Government did? Though they issued bonds for a different purpose, you

can easily issue them for primary education. Take a loan of five crores and you will be easily able to pay for the loan charges by imposing the cess.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am very glad that an opportunity has been given to me to explain the delay in bringing the Primary Education Act into force. But before I deal with that question I may mention that Mr. Tamizuddin Khan has suggested that a portion of the jute tax may be utilised for introducing the Primary Education Act. He also pointed out in his speech that Bengal spent less on primary education in relation to university education in comparison with other provinces of India. So far as that is concerned I admit that he is quite correct that we in Bengal do spend comparatively less on primary education than we do on university education, but that, Sir, is largely due to a policy which has been followed since a long time, and I think it is not now possible to curtail the present expenditure on university education, and I do not think anybody in this House will suggest that the expenditure should be curtailed; on the other hand, I also admit that the time has now come when every available money should be set apart for primary education. So far as that proposition is concerned, Government is in entire agreement with Mr. Tamizuddin Khan.

Now, Sir, the other question is the utilisation of the jute tax for the purpose of enforcing the Rural Primary Education Act. Sir, the Primary Education Act will require a crore of rupees if it has got to be enforced and, as Mr. Suhrawardy, who has been unfortunately criticised, and to a certain extent misquoted, has very pertinently pointed out that, with a deficit of seven crores accumulated for the last few years and the deficit of two crores and a quarter lakhs in this year's budget, it is not conceivable that the Government of India will agree to the employment of a crore of rupees upon the Primary Education Act without trying to meet at least a portion of the deficit that is already there. Khan Bahadur Muhammad Abdul Momin has told us—I do not know if he knows what is the exact amount that will be required for the introduction of the Primary Education Act—but he has calmly told the House that the Act can be introduced with a much lesser sum.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am quite sure of that.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: He may be quite sure of that, Sir, but when it comes to action perhaps it will be found that it is quite inadequate. Unfortunately while every other province in India has failed to realize this elementary fact, here is Khan Bahadur

Momin, who maintains that it can be easily done and that with a much lesser sum. What is the reason that not a single province in India has yet been able to introduce primary education in a comprehensive manner? It is purely on the grounds of inability to find the money, and that is why they have not been able to provide primary education. Bengal has got an Act which authorises the imposition of a cess, but it has not yet been able to enforce it because of the unprecedented financial situation. Everybody here must recognise that Sir. In face of all this, I do not know how members in this House can quietly get up and suggest the imposition and realisation of the education cess at the present moment or during the last two or three years. They seriously suggest, and a man with the experience and knowledge of my friend Mr. Momin has calmly told the House that Bengal at the present moment is in a position to bear additional taxation of a crore of rupees, fully well knowing at the same time that every district board in Bengal is in arrears so far as the public works cess and road cess are concerned. Their income has come down by 20, 30 or 50 *per cent*. The cess which is already in existence and which is entirely for the benefit of the cultivators, which means that the entire sum is spent on the cultivators, that sum is not being realised from the cultivators, but here he is coolly suggesting that a crore of additional taxation can be imposed on Bengal and can also be realised. Is that reasonable, fair or possible even? No one in his senses can suggest that, cultivators or *zemindars* can pay additional tax amounting to a crore of rupees, especially when we find in this very House from day to day members drawing the attention of Government to the sale of landed properties, and the inability of the tenants to pay their taxes and rents; how can Government with these facts in their possession impose such an additional heavy burden? I would point out to Khan Bahadur Momin that it is one thing to promise to pay and it is quite another thing to actually make a payment. He knows very well when people go for subscriptions, there are many promises but few promises are translated into payment.

Mr. K. C. Ray Chowdhury suggested borrowing: Supposing in 1931 the Bengal Government had borrowed in the expectation that things would improve in 1932. What would have our position been to-day? We should have to borrow not one crore or two crores, but three or four crores, and, Sir, how could they be ultimately repaid? It would have to be repaid from the cess, and until we were sure that good times would be continuing, I do not think we could be justified in borrowing.

Sir, one pertinent question that Mr. Tamizuddin Khan put to me was that, if the present state of affairs continued, would Government permanently give up the idea of enforcing the Act? I suggest that the people are already getting accustomed to the low prices of agricultural products; there is really a tendency on the part of the tenants to pay their existing dues, and if this state of affairs continues in this way

for another year, then it may be possible for the people, with their reduced income and their reduced standard of living, to meet the additional taxation, but we cannot do so until for a year or two we know how things are going to turn out. A big scheme of free and compulsory primary education cannot be brought into operation until we are in a position to meet the heavy financial liability that it undoubtedly involves. This is a simple fact which we must realise; but it is very unfortunate that many members do not do so. I admit that members of this House are all very keen and all very anxious to see free and compulsory primary education introduced. Sir, no one is more anxious than myself, but we cannot ignore facts. We have got to face them; they stare us in the face, and we cannot easily brush them aside. This is the only reason why Government have delayed the enforcement of the Rural Primary Education Act passed by this Council, and in view of what I have said, I hope the hon'ble member will withdraw his motion.

(At this stage the time-limit for the demand was reached.)

Maulvi Tamizuddin Khan's motion was then put and lost.

The main demand under head "31—Education (Transferred)" was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 22nd March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 22nd March, 1934, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 95 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Superintendent of Excise, Calcutta.

*137. **Khan Sahib Maulvi MOHAMMED BASIR UDDIN:** (*a*) Will the Hon'ble Minister of Excise be pleased to state whether it is a fact that a junior superintendent of excise has been entrusted with the important task of combating excise crimes in Calcutta and the surrounding places in utter disregard of claims of many of his seniors who have more knowledge of the place and have, according to the Excise Administration Reports, earned more commendations than the former?

(*b*) If so, what are the special merits and qualifications this officer has on which this selection is made?

(*c*) Is there none among the senior officers who possesses the same qualifications and merits? If so, why such officer was not selected for this important job?

(*d*) What are the past records of this officer? And how far has the work so far put in by the officer in his present post justified the selection?

MINISTER in charge of EXCISE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) No.

(*b*) to (*d*) Do not arise.

Damages by Elephants in Chittagong.

*138. **Haji BADI AHMED CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Revenue (Forest) Department aware that—

(*i*) many men were killed and wounded by wild elephants in the district of Chittagong;

(*ii*) elephants often destroy standing crop and homestead in that district?

(*b*) If the answer to (*a*) is in the affirmative, why no arrangement to entrap the elephants are made by *khedda*?

(*c*) Will the Hon'ble Member be pleased to state whether the public will be allowed to shoot wild elephants that destroy men, paddy, homestead, etc.?

(*d*) Will the Hon'ble Member be pleased to state whether the royalty will be released if any private party comes forward to do a *khedda* in approved places to stop these outrages?

SECRETARY to GOVERNMENT, REVENUE (FOREST) DEPARTMENT (Mr. L. R. Fawcus): (*a*) (*i*) It is reported that 3 men were killed in 1932-33 and 2 during the current year.

(*ii*) Where elephants are numerous they frequently damage crops and are sometimes destructive to homesteads.

(*b*) *Khedda* operations were arranged this year on reduced royalty, but the required security has not been paid and it is now too late to start.

(*c*) The member is referred to section 3 (*b*) of the Elephant Preservation Act (VI of 1879).

(*d*) Government do not consider that entire remission of royalty in respect of *khedda* operations is desirable.

Maulvi SYED MAJID BAKSH: What other methods do the Government adopt besides the *khedda* operations to cope with the elephant menace?

Mr. L. R. FAWCUS: It has not yet been found necessary to adopt any other methods.

Maulvi SYED MAJID BAKSH: Even if men are killed and wounded by wild elephants, Government do not consider it necessary to adopt other measures than the *khedda* operations?

Mr. L. R. FAWCUS: Sometimes I believe elephants are proclaimed when they are actually dangerous to human life.

Midnapore Collegiate School.

*138. **Mr. R. MAITI:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the guardians of some students belonging to Class X of the Midnapore Collegiate School in the district of Midnapore were informed by the head master of the school stating that the names of their respective wards were removed from the rolls of the class from the 1st of December last as they were undesirable and a menace to the discipline of the school?

(*b*) If the answer to (*a*) is in the affirmative—

(*i*) what are the particular acts which constituted the conduct of the students as stated above, and

(*ii*) when were such acts noticed by the authorities of the school?

(*c*) Is it a fact that the above ban was subsequently withdrawn in cases of some of the aforesaid students who have been allowed to continue their studies in the same school?

(*d*) If the answer to (*c*) is in the affirmative, what were the circumstances that had led to the withdrawal of such ban?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes. The headmaster as secretary of the managing committee wrote to the guardians concerned in pursuance of a resolution of the managing committee passed in a meeting held on 23rd November, 1933.

(*b*) The undesirable activities of the boys in question were brought to the notice of the managing committee by the headmaster. The facts in each case were inquired into by the District Magistrate (who is also President of the managing committee) who approved the proposal for removal in six cases and rejected it in four. It is not in the public interest at the present time to disclose the particular facts in each case.

(*c*) Yes, as explained in the answer to (*b*).

(*d*) The fact that on further inquiry the District Magistrate was not satisfied as to the necessity for removing four of the boys.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether the guardians were informed of the nature of the offences committed by these students?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have no information.

Mr. SYAMAPROSAD MOOKEREE: Is the Hon'ble Minister aware that guardians were not informed of the nature of the complaints which were brought against the students?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am not aware.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to inquire whether it is a fact that guardians were not informed and if not, why not?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It was not thought necessary to inform the guardians.

Mr. SYAMAPROSAD MOOKERJEE: How is it possible for guardians to take steps against the boys if they had not been informed of the nature of the offences?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The boys had already involved themselves and that is why they were removed.

Mr. SYAMAPROSAD MOOKERJEE: Is it not a fact that the orders against some of the boys were withdrawn subsequently?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have already replied to it.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Minister aware that the orders as communicated to some of the students were subsequently withdrawn? It was not a case of the Magistrate reconsidering the matter?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No, as I stated in my answer.

Mr. SHANTI SHEKHARESWAR RAY: Have the names of the boys been removed for a specified period or for ever?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: They have been given transfer certificates.

Supply of warm liveries.

***140. Khan Bahadur Maulvi MUAZZAM ALI KHAN:** (*a*) Has the attention of the Hon'ble Member in charge of the Finance Department been drawn to that department memorandum No. 9100-16Misc., dated the 17th November, 1933, over the signature of the Special Officer arranging on two Hindu firms for the supply of warm liveries?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether tenders were invited?

(*c*) If so, in which newspapers notices inviting tenders were advertised?

(*d*) If no tenders were invited, why were these two firms and no Muhammadan firms selected?

(*e*) Will the Hon'ble Member be pleased to state the reason why a departure was made this year in the issue of the said memorandum?

(*f*) Are the Government considering the desirability of issuing orders in the future specifying the rates and quality of uniforms?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) and (*b*) Yes.

(*c*) Notices were not advertised in newspapers. Selected firms, including a Muhammadan firm, were asked to submit tenders.

(*d*) The two firms selected offered material of the best quality at the lowest rates. The Muhammadan firm that was addressed sent no reply either to the letter or to a subsequent reminder.

(*e*) In order to ensure that Government got the best value for its money.

(*f*) No, not as regards the rates, because rates fluctuate.

Bengal Engineering College, Sibpur.

*141. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the present—

(*i*) how many officers and clerks other than British subjects are serving under the Bengal Government in the Education Department;

(*ii*) what posts do they hold; and

(*iii*) where are they posted?

(*b*) Are the following officers in the Bengal Engineering College, Sibpur, British subjects:—

(*i*) Jitendra Nath Chakrabarty, Lecturer, Physics Department, and

(*ii*) Nishanath Chakrabarty, Lecturer, Chemistry Department?

(*c*) If the answer to (*b*) is in the affirmative, to what district and thana do they belong?

(*d*) If they are not British subjects, are the Government considering the desirability of employing British subjects in their place?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) The information is not readily available, and it would involve much labour and time to obtain it.

(*b*) No.

(*c*) Does not arise.

(*d*) No, as they hold permanent appointments under Government

Bengal Government Press.

***142. Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing for the years 1931-32 and 1932-33—

(*i*) the expenses incurred and the incomes derived from the employment of the compositors, the distributors, the pressmen, the machinemen, the binders, the lino and the mono operators in the Bengal Government Press; and

(*ii*) the expenses incurred and the incomes accruing from the employment of salaried hands?

(*b*) Will the Hon'ble Member be pleased to lay on the table another statement for each year from 1922 to 1933, showing—

(*i*) the number of piece-workers, the salaried hands, and the apprentices that were recruited; and

(*ii*) the number of piece-workers, the salaried hands, and the apprentices that were retrenched?

The Hon'ble Mr. J. A. WOODHEAD: The information is not readily available, and Government regret that they are not prepared to undertake the labour that would be involved in collecting it. If, however, the Hon'ble Member would explain to the Finance Secretary the particular point that prompts this question, an endeavour will be made to give him the relevant facts.

Bridge at Rangram in the Kandi subdivision.

***143. Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether he has received any proposal from the District Board of Murshidabad regarding the construction of a bridge at Rangram in the Kandi subdivision and also an application for a grant towards the costs of its construction?

(*b*) If the answer to (*a*) is in the affirmative, what action, if any, has been taken on the said petition?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) The matter is under the consideration of Government.

Select Committee meetings in Darjeeling, 1933.

***144. Maulvi SYED MAJID BAKSH:** Will the Deputy President of the Bengal Legislative Council be pleased to lay on the table a statement for the year 1933 showing—

(*i*) what Select Committee meetings were held in Darjeeling;

(*ii*) what is the amount of expenditure incurred in connection with each of these Select Committees respectively;

(*iii*) the date on which each Select Committee began its sitting and the date on which it ended;

(*iv*) the number of persons sitting in these Select Committees; and

(*v*) the amount drawn by each of them respectively on each occasion?

DEPUTY PRESIDENT of BENGAL LEGISLATIVE COUNCIL (Mr. Razaur Rahman Khan): (*i*) Select Committee meetings were held in Darjeeling in 1933 in connection with the following:—

(*a*) the Bengal Wakf Bill,

(*b*) the Bengal Cess (Amendment) Bill,

(*c*) the amendment of the Standing Orders.

(*ii*) Rupees 3,428-14 on (*a*), Rs. 3,508-10 on (*b*), and Rs. 713-6 on (*c*).

(*iii*) Five meetings were held on (*a*)—on the 14th, 15th, 16th, 17th and 19th June 1933, 6 meetings on (*b*)—from the 9th to 14th October, 1933, and one meeting on (*c*)—on the 20th October, 1933.

(*iv*) Out of 20 members on (*a*), 15 attended, out of 20 members on (*b*), 19 attended, and out of 10 members on (*c*), 7 attended.

(*v*) A statement is laid on the table.

Statement referred to in the reply to starred question No. 144 (v), showing names of members who drew mileage allowance and daily allowance for attending Select Committee meetings in Darjeeling for the year 1933.

Name of member.	(a) on Wakf Bdl.	(b) on Cess (Amendment) Bill.	(c) on amendment of Standing Orders.
	Rs. A.	Rs. A.	Rs. A.
1. Maulvi Abul Kasem	240 8	..	..
2. Dr. N. C. Sen Gupta	214 12	..	..
3. Mr. Syamaprosad Mookerjee ..	185 12	..	..
4. Khan Bahadur Maulvi Ahmuzzaman Chowdhury.	227 6	228 11	..
5. Khan Bahadur M. A Momin ..	239 8	252 0	202 0
6. Khan Bahadur M. Azizul Haque ..	231 12	231 14	..
7. Maulvi Hassan Ali	164 13	..	..
8. Maulvi Md. Saadatullah	224 12	..	..
9. Maulvi Md. Hossain	393 13	..	..
10. Maulvi Abdul Ghani Chowdhury ..	279 6	..	..
11. Maulvi Nurul Absar Chowdhury ..	326 0	..	..
12. Rai Kamini Kumar Das Bahadur, M.B.E.	325 8	..	..
13. Haji Badi Ahmed Chowdhury ..	366 0	..	..
14. Rai Mahendra Nath Gupta Bahadur ..	..	240 0	.
15. Mr. A. K. Fazl-ul-Haq	..	220 12	..
16. Maulvi Tamizuddin Khan	..	227 11	..
17. Mr. Narendra Kumar Basu	..	300 9*	..
18. Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.	..	250 0	..
19. Mr. Sarat Kumar Roy	..	195 11	..
20. Babu Sarat Chandra Mitra ..	..	236 12	..
21. Babu Satish Chandra Ray Chowdhury	..	211 3	..
22. Rai Sahib Panchanan Barma, M.B.E. ..	..	168 6	..
23. Mr. Mukunda Behary Mullick ..	..	239 12	..
24. Mr. Saileswar Singh Roy	..	266 4	..
25. Mr. W. H. Thompson	..	239 1	..
26. Babu Lalit Kumar Bal	..	..	322 1
27. Mr. G. R. Dain, C.I.E.	..	..	189 5
Total ..	3,428 14	3,508 10	713 6

*This includes also mileage allowance and daily allowance for attending Select Committee meeting on amendment of Standing Orders.

Maulvi SYED MAJID BAKSH: Will the Deputy President be pleased to state whether the persons who attended the Select Committee meetings on (*b*) came away and then went again to attend the meetings on (*c*) on the 20th of October?

Mr. RAZAUR RAHMAN KHAN: I must ask for notice.

Maulvi SYED MAJID BAKSH: Were there continued sittings of the committee from the 14th to the 20th, or was there a break?

Mr. RAZAUR RAHMAN KHAN: I understand there was a break.

Maulvi SYED MAJID BAKSH: Why was the meeting not continued up to the 20th of October so that the members could have attended on the 20th instead of coming back and drawing travelling allowances?

Mr. RAZAUR RAHMAN KHAN: The dates were fixed by the Chairman of the several committees.

Maulvi SYED MAJID BAKSH: Why were not the meetings fixed on some subsequent date after the 14th, so that the travelling allowances might have been saved?

Mr. RAZAUR RAHMAN KHAN: All these matters were taken into consideration when fixing the date.

Maulvi SYED MAJID BAKSH: My point is that a meeting could have been fixed on the 14th or 15th instead of on the 20th so that double travelling allowances could have been saved.

Mr. RAZAUR RAHMAN KHAN: That is not a question. Moreover, the fixing of the date was not in the hands of the Council Department.

Mr. SHANTI SHEKHARESWAR RAY: In fixing the dates, were the grounds of economy considered or not?

Mr. RAZAUR RAHMAN KHAN: Yes, certainly, and they were considered very carefully by the Finance Department.

Maulvi SYED MAJID BAKSH: I want to know whether the Deputy President has learnt it from the persons responsible for fixing the dates as to why such dates were fixed?

Mr. RAZAUR RAHMAN KHAN: I have, of course, no personal knowledge of these facts, but they have been obtained from the proper authorities.

Mileage and daily allowances drawn by the members of legislature in 1933.

***145. Mr. NARENDRA KUMAR BASU:** Will the Deputy President of the Bengal Legislative Council be pleased to lay on the table a statement of the amounts drawn by each member of the Council as travelling and daily allowances during the calendar year 1933 -

(*1*) for meetings of the Council;

(*2*) for meetings of Select Committees of the Council; and

(*3*) for any other meetings?

Mr. RAZAUR RAHMAN KHAN: A statement is laid on the table.

Statement referred to in the reply to starred question No. 145, showing the amounts drawn by members of the Council as travelling and daily allowances from 1st January to 31st December, 1933.

Serial No.	Name of member.	Headquarters or railway station from which travelling allowance is claimed.	Amount drawn— (i) For meetings of the Council.	(ii) For meetings of Select Committees.	(iii) For any other meetings.	Total.
			Rs. A.	Rs. A.	Rs. A.	Rs. A.
1	Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.	Dacca ..	998 4	..	..	998 4
2	Ali, Mr. Altaf ..	Bogra ..	183 0	..	93 0	276 0
3	Ali, Maulvi Hasaan ..	Dinajpur ..	1,220 0	283 15	..	1,503 15
4	Baksh, Maulvi Syed Majid ..	Jessore ..	826 4	..	..	826 4
5	Bal, Babu Lalit Kumar .	Pirojpur (Bakarganj).	1,031 6	322 1		1,353 7
6	Bal, Rai Sahib Sarat Chandra	Gopalganj (Faridpur) .	910 8	193 12	.	1,104 4
7	Banerji, Rai Bahadur Keshab Chandra	Dacca .	1,007 8			1,007 8
8	Banerji, Mr P ..	Daulatpur (Khulna) ..	915 5	95 2	.	1,010 7
9	Bannerjee, Babu Jitendralal	Rampurhat (Birbhum) ..	716 14		.	716 14
10	Barua, Rai Sahib Panchanan	Rangpur ..	987 0	168 6		1,155 6
11	Basir Uddin, Khan Sahib Maulvi Mohammed	Naogang (Rajshahi) ..	646 12			646 12
12	Basu, Mr. Narendra Kumar .	Calcutta .	..	300 9	.	300 9
13	Chaudhuri, Khan Bahadur Maulvi Alimuzzaman	Faridpur .	966 6	796 1	.	1,762 7
14	Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman	Bogra	917 0			917 0
15	Chaudhuri, Dr Jogendra Chandra	Bogra .	639 8	.	..	639 8
16	Chaudhuri, Babu Kishori Mohan	Rajshahi ..	1,028 12	65 10	.	1,094 6
17	Chaudhuri, Maulvi Syed Osman Haider	Tippera ..	496 4	..	..	496 4
18	Chowdhury, Maulvi Abdul Ghani	Dacca ..	997 6	637 3	..	1,634 9
19	Chowdhury, Haji Badi Ahmed	Chittagong Railway station	1,760 8	1,186 10	..	2,947 2
20	Choudhury, Maulvi Nural Absar	Chittagong ..	1,382 0	513 6	..	1,895 6
21	Dain, Mr G R. ..	Calcutta .	..	189 5	..	189 5
22	Das, Rai Bahadur Kamini Kumar	Chittagong .	885 13	325 8	..	1,211 5
23A	Das, Rai Bahadur Satyendra Kumar	Dacca .	869 6	.	..	869 6
23	Eusufji, Maulvi Nur Rahman Khan.	Tangail (Mymensingh).	959 0	..	..	959 0
24	Fazlullah, Maulvi Muhammad	Noakhali .	867 8	.	.	867 8
25	Ghose, Rai Bahadur Sasanka Coomar, C.I.E.	Dacca ..	467 7	..	..	467 7

Serial No.	Name of member	Headquarters or railway station from which travelling allowance is claimed.	Amount drawn— (i) For meetings of the Council.	(ii) For meetings of Select Committees.	(iii) For any other meetings.	Total.
			Rs. A	Rs. A.	Rs. A.	Rs. A.
25A	Gupta, Rai Bahadur Mohendra Nath.	....	114 2	.	..	114 2
26	Gupta, Mr. J. N., C. I. E., M.B.E.	Barrackpore ..	327 4	9 10	..	336 14
27	Hakim, Maulvi Abdul ..	Mymensingh ..	1,067 4	193 8	..	1,160 12
28	Haque, Khan Bahadur Azizul	Krishnagar .. (Nadia)	1,569 11½	557 12	90 0	2,208 7½
29	Hoque, Kazi Emdadul	Kurigram .. (Rangpur)	979 3	370 10	.	1,349 13
30	Hossain, Nawab Musharruf, Khan Bahadur	Jalpaiguri .	1,086 12	..	..	1,086 12
31	Hossain, Maulvi Muhammad	Bakarganj .	1,114 7½	397 15½	..	1,512 7
32	Huq, Mr A K Fazl-ul .	Calcutta	.	220 12	.	220 12
33	Hossain, Maulvi Latafat	Kankinara	493 8	..	.	493 8
34	Kasem, Maulvi Abul	Burdwan ..	491 9	443 12	.	935 5
35	Khan, Khan Bahadur Maulvi Muazzam Ali	Sahajadpur . (Pabna)	932 8	93 12	..	1,026 4
36	Khan, Maulvi Tamizuddin	Faridpur	835 13	553 9		1,389 6
37	Maiti, Mr R	Midnapore	745 8			745 8
38	Mitter, Mr S C .	Calcutta ..		236 12	.	236 12
39	Momin, Khan Bahadur Muhammad Abdul	Ghuskara . (Burdwan)	825 3	1,165 0	90 0	2,080 3
40	Mookerjee, Mr Syamaprasad	Calcutta		185 12	..	185 12
41	Mukherji, Rai Bahadur Satish Chandra	Hooghly	130 0		..	130 0
42	Mukhopadhaya, Rai Sahib Sarat Chandra	Panchkura Ry station, B N Rly	1,031 12		..	1,031 12
43	Nag, Babu Suk Lal .	Khulna	625 7½	..	..	625 7½
44	Nandy, Maharaja Sris Chandra, of Kasimbazar	Kasimbazar	(No bill has been presented yet.)			
45	Poddar, Mr Ananda Mohan .	Narayanganj .. (Dacca)	1,203 0	..	..	1,203 0
46	Rahcem, Mr A, C I E.	Darjeeling	1,117 14	.	..	1,117 14
47	Rahman, Mr A F ..	Jalpaiguri .	363 9½	..	..	363 9½
48	Rahman, Mr A F M Abdur-	Basirhat Kutchery Ry station	1,077 11	107 5½	.	1,185 4
49	Rahman, Maulvi Azizur ..	Sing Jani (Mymensingh).	1,060 10½	.	..	1,060 10½
50	Raikat, Mr Prosanna Deb ..	Jalpaiguri	*1,065 12		..	*1,065 12
51	Rai Mahasai, Munindra Deb .	Baraberia Ry. station, Hooghly.	790 8	..	..	790 8
52	Ray, Babu Amulyadhan	Jessore .	837 14½	..	..	837 14½

* This amount also includes a portion of travelling allowance and daily allowance admissible to the member for the previous year.

Serial No.	Name of member.	Headquarters or railway station from which travelling allowance is claimed.	Amount drawn— (i) For meetings of the Council.	(ii) For meetings of Select Committees.	(iii) For any other meetings.	Total.
			Rs. A.	Rs. A.	Rs. A.	Rs. A.
53	Ray, Babu Khetter Mohan ..	Comilla ..	1,053 0	271 12	..	1,324 12
54	Ray, Babu Nagendra Narayan	Rangpur ..	865 0	..	..	865 0
55	Ray Chowdhury, Babu Satish Chandra.	Mymensingh ..	803 13½	578 15½	..	1,382 13
56	Rout, Babu Hosenl ..	Midnapore ..	828 6	..	..	828 6
57	Roy, Babu Jitendra Nath ..	Jessore ..	857 4	..	..	857 4
58	Roy, Mr. Salleswar Singh ..	Chakdihi (Burdwan)	628 0	266 4	..	894 4
59	Roy Chowdhuri, Babu Hem Chandra.	Noakhali .	1,076 11	152 14	..	1,329 9
60	Roy, Mr Sarat Kumar ..	Malanchi (Rajshahi)	845 12½	272 6	..	1,118 2½
61	Saadatullah, Maulvi Muhammad.	Calcutta .	..	224 12	..	224 12
62	Sahana, Babu Satya Kinkar .	Bankura .	783 4	.	.	783 4
63	Samad, Maulvi Abdus	Murshidabad .	761 8	.	..	761 8
64	Sarker, Rai Bahadur Rebati Mohan	Dacca ..	974 0	.	..	974 0
65	Sen, Rai Sahib Akshoy Kumar	Faridpur .	764 0	.	..	764 0
66	Shah, Maulvi Abdul Hamid	Mymensingh .	1,048 8	359 0	..	1,407 8
67	Singh, Srijut Taj Bahadur ..	Zeaguni, Rajshahi (Murshidabad)	632 10		..	632 10
68	Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur	Nashipur, Rajshahi (Murshidabad)	670 11	753 10	64 1½	1,488 6½
69	Thompson, Mr. W. H. .	Calcutta		239 0½		239 6

Mr. NARENDRA KUMAR BASU: Will the Deputy President be pleased to state whether the places named as headquarters or railway stations from which travelling allowance is drawn are the same as the usual places of residence within the meaning of the rules governing the travelling allowances of members?

Mr. RAZAUR RAHMAN KHAN: Yes.

Mr. NARENDRA KUMAR BASU: Are the names of places of headquarters supplied by the members themselves?

Mr. RAZAUR RAHMAN KHAN: Yes.

Mr. NARENDRA KUMAR BASU: Is there any method of checking the correctness of the places named?

Mr. RAZAUR RAHMAN KHAN: No. The hon'ble members certify to the effect that they have come from such and such places and draw their travelling allowances according to rules.

Mr. NARENDRA KUMAR BASU: Is the Deputy President aware that several of the places named as headquarters from which travelling allowances are drawn would not come within the meaning of the usual place of residence, that is to say, where the persons ordinarily reside for six months in the year?

Mr. RAZAUR RAHMAN KHAN: No, I am not aware of that.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Ronaldshay Medical School, Burdwan.

60. Mr. NARENDRA KUMAR BASU: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government (Medical) Department aware,

(*i*) that at a meeting held at the Ronaldshay Medical School, Burdwan, on the 8th February, 1934, the Chairman, Major B. H. Singh, M.C., I.M.S., the Civil Surgeon of Burdwan, remarked that all non-official committees to raise funds for earthquake relief were anti-Government bodies;

(*ii*) that he further remarked, when some students suggested that the money raised should be sent to Sir P. C. Ray's Fund, "who is this P. C. Ray? I do not know him";

(*iii*) that he directed the names of the students making the said suggestion to be noted down?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of transferring the Major back to the Army or at least away from Bengal?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) and (*ii*) No.

(*iii*) Yes. As names of four or five different funds were suggested, in order to find out how many were in favour of each of the various funds, the names of the students in favour of each fund were taken down.

(*b*) No.

Mr. NARENDRA KUMAR BASU: With reference to (*a*) (*i*) and (*ii*), will the Hon'ble Minister be pleased to state whether the negative means that the Hon'ble Minister is not aware or whether it means that such remarks were not made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Such remarks were not made.

Mr. NARENDRA KUMAR BASU: Has the Hon'ble Minister inquired about this from anybody other than the gallant major?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government did not consider it necessary to inquire from anyone other than the officer concerned. He is a responsible officer holding a responsible position and Government have got every confidence in him.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Minister unable to say that this responsible officer, the Civil Surgeon of Burdwan, is incapable of saying such a thing?

The Hon'ble Sir BIJOY PRASAD SINGH ROY : No question of capability or incapability arises in the matter. If he had made any such observation, certainly he would have admitted it as a gentleman.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Minister in a position to affirm that a man who, if he had made that statement —I do not know whether he is a Major or a responsible officer —would not be considered as a gentleman?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The officer denied having made such an observation. I do not exactly follow the supplementary question. It seems to be hypothetical.

Jagannath Intermediate College.

61. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a copy of the report of audited accounts of the Jagannath Intermediate College, Dacca, for the years 1921 to 1929?

(*b*) Will the Hon'ble Minister be pleased to state whether there has been any maladministration of the funds of the college during the stated period?

(*c*) Is it not a fact that the Principal of the college was mainly responsible for the proper administration of the funds?

(*d*) Has the Principal any connection with the Sreenath Press at Dacca?

(*e*) Will the Hon'ble Minister be pleased to state what amount, if any, was paid to the said press for work done by the press during the aforesaid period, and subsequent to that?

(*f*) What is the age of the Principal?

(*g*) How many times has he been granted extension of service?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) It would be contrary to established practice to lay such reports on the table, and Government regret that they are not prepared to make an exception in this case.

(*b*) A number of irregularities were pointed out.

(*c*) Yes, subject to the control of the governing body.

(*d*) When inquiries were made in 1927 it was ascertained that the press was the joint family property of the Principal and his brother, who was the managing proprietor, and that the Principal had never taken any part in its management.

(*e*) Government have no information.

(*f*) About 59 years 4 months.

(*g*) As he is no longer in Government service, from which he retired at the usual age of 55, the question does not arise.

Maulvi TAMIZUDDIN KHAN: With reference to (*e*), was any inquiry made into the matter?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Supply of quinine to the Faridpur district.

62. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the Faridpur district for the years 1930, 1931, 1932 and 1933—

(*i*) the quantity of Government quinine supplied to the charitable dispensaries through the Civil Surgeon;

(*ii*) the quantity of Government quinine supplied to the rural health circles through the district health officers;

(*iii*) the quantities of the district board quinine supplied to the charitable dispensaries, rural health circles, *kala-azar* centres and anti-malarial societies respectively; and

(*iv*) the total quantity of quinine supplied to malarial patients?

(*b*) Is the Hon'ble Minister aware—

(*i*) that the quantity of quinine supplied by Government was not adequate to meet the ordinary needs of the district;

(*ii*) that the Director of Public Health did not meet even the emergency demands of the district board; and

(*iii*) that the Government did not pay their dues on account of the rural health scheme regularly according to expenditure incurred by the district board even at a time when malignant cases of malaria were reported in the district?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*iii*) and (*iv*) Not known to Government.

(*b*) (*i*) and (*ii*) The policy is to distribute the provincial quinine grant among the various districts in proportion to the local fund expenditure on this account during the preceding year. In the year 1933-34, the Faridpur district received Rs. 3,950 against the sum of Rs. 1,365 which they were entitled to receive on this basis.

(*iii*) As the expenditure from the district fund for public health purposes during the last three years was much below the standard fixed, the Government grant for rural health units for these years has not been paid in full, pending revision of the standard.

Statement referred to in the reply to unstarred question No. 62 (a) (i) and (ii).

	1930-31.	1931-32.	1932-33.	1933-34.
	Rs.	Rs.	Rs.	Rs.
(i) Civil Surgeon	1,869	1,827	1,600	1,400
(ii) District Board Chairman ..	1,856	1,827	800	2,550

Amount spent on travelling and halting allowances by each of the district boards in Bengal.

63. Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for each of the three financial years 1930-31, 1931-32 and 1932-33—

(*i*) the total amount spent for travelling and halting allowances of members of each of the district boards in Bengal for attending meetings of the board and committee: and

(*ii*) the total number of members of each district board?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*i*) This information cannot be obtained unless special inquiries are made from district boards involving, in the opinion of Government, a disproportionate expenditure of time and energy for which they are not prepared to ask.

(*ii*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 63 (ii)

Names of district boards	Number of members		
	1930-31	1931-32	1932-33
Burdwan	24	24	24
Birbhum	24	24	24
Bankura	24	24	24
Midnapore	34	34	34
Hooghly	30	30	30
Howrah	18	18	18
24-Parganas	30	30	30
Nadia	30	30	30
Murshidabad	27	27	27
Jessore	30	30	30
Khulna	24	30	30
Dacca	33	33	33
Mymensingh	33	33	33
Faridpur	30	30	30
Bakarganj	30	30	30
Chittagong	29	30	30
Tippera	30	30	30
Noakhali	24	24	24
Rajshahi	27	27	27
Dinajpur	27	27	27
Jalpaiguri	21	21	24
Rangpur	27	27	27
Bogra	18	18	18
Pabna	24	24	24
Malda	15	18	18
Darjeeling	20	20	20

BUDGET GRANTS FOR 1934-35

DEMAND FOR GRANT.

32—Medical.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor I move that a sum of Rs. 41,42,000 be granted for expenditure under the head "32—Medical."

Since the last few years when the financial position of the Local Government began to deteriorate, there had not been much expansion in this department and necessary scheme of improvement had to be stayed and the activities had to be confined to the routine of running the ordinary administrative machinery in the department. With endeavour made in successive years, coupled with the requirements of audit, a stricter control is gradually being brought to bear, the previous habit of preparing inflated estimates is being eschewed, and the result is the framing of more accurate estimates. The estimates for the ensuing year have been based on the revised budget for the current year which again has been framed on the actuals of six months of the year, and this explains the decrease of Rs. 1,52,000 in the budget estimates in question as compared with the current year's budget figures. The savings effected and anticipated are due to an all-round attempt at economy and fall in the price of foodstuffs on which diet rates in the hospitals depend and not to any curtailment in the activities of the department. I may mention here however, that the savings would be less by Rs. 50,000 which have been allotted to the Calcutta Hospital Nurses Institute in order to enable them to meet their deficit.

Under the minor head "Medical establishment" are recorded charges on account of the Surgeon-General, civil surgeons and their establishments, the pay of all assistant surgeons and sub-assistant surgeons and the pay of Rs. 29,000 for "Reserve medical subordinates." The decrease in the next year's estimate is mainly due to smaller provision for the pay of voted officers and under "Allowances and honoraria."

The next important minor head is "Hospitals and dispensaries." Charges on account of all Presidency hospitals and Government's share of expenditure on *mufassal* hospitals and dispensaries and grants to hospitals and dispensaries are recorded here. The budget estimate of the ensuing year under this head is less by Rs. 38,000 compared with the current year, but it exactly coincides with the revised estimate of the current year. The reduction is mainly under "Pay of officers (voted)," "Supplies and Services," and "Contract contingencies," which latter are due to strict economy and savings on account of fall in

the prices of foodstuffs and other articles and are to some extent counterbalanced by an increased provision under "Grants to hospitals and dispensaries." It will be seen that the grant for *thana* and village dispensaries which is by far the most important of the medical grants has been raised from Rs. 87,000 to Rs. 95,000 for the next year. It may be mentioned in this connection that though the allotment for the current year amounted to Rs. 87,000, grants aggregating Rs. 94,250 have been made to *thana* and village dispensaries, the additional amount having been found by reappropriation. Provision for a recurring grant of Rs. 20,000 for the hospital attached to the Calcutta Medical School has also been made under this head.

The next sub-head is "Grant for medical purposes" which shows a reduction of Rs. 50,000, owing to the last instalment of the capital grant of Rs. 4 lakhs to the *Jatiya Ayurbijnan Parishad* having been paid during the current year. Government have decided to make an additional grant of Rs. 50,000 to the Calcutta Hospital Nurses Institution for the current year to meet the deficit of the institution due to a fall in the receipt from subscriptions from non-Government sources, due to economic distress. The normal grant of Rs. 1 lakh has been provided in the budget.

Under the head "Medical College and schools" is recorded the expenditure on the School of Tropical Medicine, Calcutta Medical College, the Campbell, the Lytton, the Ronaldshay, the Jackson, the Chittagong and Dacca Medical Schools. The increase of Rs. 25,000 in the estimate is due to larger provision for (1) voted officers, necessitated by the appointment of a voted officer as Second Professor of Midwifery, Medical College, (2) allowances and honoraria (voted) on account of arrear dues of house-rent of the Demonstrators of Jalpaiguri and Chittagong, and (3) "Supplies and services" for larger local instead of foreign purchases contemplated next year.

The sub-head which shows large fluctuation is "Mental hospitals". Under this head provision is made for the Bhowanipur Mental Observation Ward and for the contributions payable to the Government of Bihar and Orissa towards the cost of the Indian and the European Mental Hospitals at Ranchi. The contributions from the bulk of the provision under this head and the estimates under this head are based on the estimates furnished by the Government of Bihar and Orissa. The Government of Bengal contribute three-fourths of the total cost of these institutions. The current year's estimate of the European Mental Hospital proved to be inadequate, and so an additional grant to the extent of Rs. 42,000 has had to be sanctioned this year—the cost being met by reappropriation from within the budget.

The actions taken on the recommendations of the Retrenchment Committee were explained last year when introducing the current year's budget. It may be added, however, for the information of the

House, that the abolition of the Ramna and the Barisal Isolation Hospitals has since been decided upon. These measures will result in an ultimate saving of about Rs. 5,000 *per annum*.

It has also been decided to reduce or abolish the special pay given to officers in some cases leading to an ultimate saving of Rs. 2,400 *per mensem*.

The reports of the committees appointed to investigate the question of reduction of staff of the Medical College and Hospitals and the School of Tropical Medicine have since been received; Government have accepted the views of the committee that the Tropical School is not overstaffed and that no retrenchment is possible in this research institution.

The recommendation of the committee regarding Medical College proper is still under consideration, but decision has been arrived at regarding the hospital portion of the recommendation of the committee. As at present seen, the decision will effect an ultimate saving of Rs. 8,592 *per annum*, but as there are certain other schemes of improvement under consideration in this connection, it is probable that the actual savings will be less.

The Ministry has, however, been unable to give effect to the recommendations made by the committee for the levy of bed charges at the Medical College until a mature experience is gained of the working of the system of levying operations fees in the hospital which has already been given effect to. Nor has it been possible to agree to the introduction of a scheme for making a charge for medicines in the Outdoor Department under the existing conditions.

The committee appointed to inquire into the question of nursing in the hospitals in Calcutta have since submitted their report. The report is under examination of Government. The committee is, however, of opinion that the retrenchment measures introduced by the Calcutta Hospital Nurses Institution will, as time passes and nurses on the existing scale of pay are replaced by nurses on revised pay, lead to a saving of Rs. 42,000. The Committee has also recommended a wider employment of Indian nurses.

The Ministry is following the policy of appointing an increasingly large number of honorary medical men in the Government hospitals of Calcutta and of throwing open to the officers of the Bengal Medical Service and to members of medical profession appointments which are not specially reserved for the Indian Medical Service officers.

As regards the honorary appointments, the following seven posts have been filled up in the Medical College Hospitals:—

(*1*) Honorary Junior Physician to the Professor of Medicine.

(2) Honorary Junior Physician to the Professor of Clinical Medicine.

(3) Honorary Junior Physician to the Second Additional Physician.

(4) Honorary Junior Surgeon to the Professor of Surgery.

(5) Honorary Junior Surgeon to the Professor of Clinical Surgery.

(6) Honorary Junior Surgeon to the Second Additional Surgeon.

(7) Honorary Junior Surgeon to the Honorary Surgeon in charge of the Ear, Nose and Throat Department.

In the Campbell Hospital a scheme for staffing the institution by honorary medical officers on a wider scale than hitherto will soon be introduced. Under this scheme the number of such honorary officers would be increased from 30 to 53, and the staff will work as separate teams, each in charge of a physician or surgeon, based more or less on the English system.

MOTIONS FOR REDUCTION.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 66,000 under the head "32A—Medical establishment (Transferred) —Superintendence" be reduced by Rs. 100 (inefficiency of the department).

Sir, the Hon'ble Minister has inquisitively expressed his wonder the other day as to the university from which the mover of the token cut motion to raise a discussion on the municipal administration under the present ministry had received his qualification. I would not wonder if he does the same to-day. But the wonder of wonders is that the possessor of qualifications of a university could not earn his livelihood as an independent lawyer and failed to impress upon the clientele of his precious qualifications——

Mr. PRESIDENT: Order, order. I do not think you are justified in making such remarks. I did not approve of the Hon'ble Minister making such remarks the other day. But you are going too far.

Dr. AMULYA RATAN GHOSE: I would like to draw your attention to the fact that after the Hon'ble Minister has replied, we do not get any opportunity of answering him, and knowing our position awkward, he takes full advantage of it in season and out of season.

Mr. PRESIDENT: You are perfectly right in protesting against the Hon'ble Minister's remarks. But you should not go beyond that.

Dr. AMULYA RATAN GHOSE: If you permit, Sir, I have got to say a few words on the subject.

Mr. PRESIDENT: Words of that kind do not help, hard words break no bones.

Dr. AMULYA RATAN GHOSE: I submit, Sir, that you will also see that the members of this House are not attacked when they have not got the chance of defending themselves. Sir, I strongly resent the reprehensible conduct of the Minister who made such mean attacks.

Mr. PRESIDENT: Members are always attacked, but there are ways of doing it.

Dr. AMULYA RATAN GHOSE: Sir, blunt men require blunt weapons to treat them with? From the Annual Report on the Working of Hospitals and Dispensaries under the Government of Bengal for the year 1932, we find the following remarks under the heading "Nursing" (Paragraph 6):—

"On account of the financial difficulties of the Calcutta Hospital Nurses Institution, the recruitment of probationers was stopped from January till August, 1932. Although it was reopened, the nursing staff at the Medical College Hospitals remained insufficient throughout the year. Moreover, the number of extra beds increased considerably, especially in the Diptheria and Female Wards of the Medical College Hospitals, thus greatly increasing the work of the already overworked nurses. It must, however, be said to the credit of the nursing staff that they coped with the extra burden thrown on them ungrudgingly and satisfactorily."

Sir, it is mentioned again under the same head, in paragraph 20, that "during the years no noticeable improvement was made upon the nursing arrangements existing in the *mufassal* hospitals and dispensaries. In most of the *mufassal sudder* hospitals the nursing work was inadequate and unsatisfactory, and was done by the compounders, dressers, ward coolies, or by friends and relatives of patients. At the *imambara* hospital, Hooghly, and at the *sudder* hospitals, Berhampore, Dacca, Mymensingh, Chittagong, and Darjeeling, both European and Indian nurses were employed. At the *sudder* hospital, Krishnagar, Nadia district, a sister of charity of the Roman Catholic Mission (a part-time nurse) and a nurse did nursing work of the hospital." Sir, we also find under the same head the following:—

"In the *sudder* hospitals at Burdwan, Midnapore, Barisal and Rajshahi, female nurses, either singly or with the help of one or two untrained male nurses or *dais*, carried on the nursing work of the hospitals. At the *sudder* hospitals at Suri and Khulna a few male nurses (untrained) were reported to be employed. In other places midwives or untrained female attendants, ward coolies, compounders

and friends and relatives of patients managed the nursing work of the hospitals. The state of affairs is very unsatisfactory and is mostly due to lack of hospital funds and general economic depression." But although in the report Government have said that the unsatisfactory condition is due to lack of hospital funds and general economic depression, yet everybody who knows, will say that this is due to their inefficiency that the unsatisfactory condition was prevailing. Those who understand things will be able to support my contention that the whole nursing staff is inefficient, and hence the unsatisfactory condition. Simply to save their own reputation, the oft-repeated catchword is put forward nowadays that economic depression is the cause. Of course we do not say that there is no economic depression, but it is not the cause; had it been so, then why this state of affairs was prevalent even before the economic depression was felt in this country? This state of affairs was there even before the economic depression, and it is simply a very clever way, and a very artful way of exonerating themselves of the charge of inefficiency by simply repeating that the economic depression is the cause. Now, Sir, I will quote a few more lines from the head "General remarks" (paragraph 23): "With a few exceptions, hospitals in the past were maintained at the lowest possible level of efficiency. As money became available, the tendency was to extend activities rather than to improve the efficiency." I would ask the House to take note of the words that "as money became available the tendency was to extend activities rather than to improve the efficiency." "The result has been that when faced with a call for retrenchment, it meant restricting activities. Public opinion would not allow this course to be adopted. The present condition of Western medicine and its slow progress present a depressing picture to those who look ahead. It can be said that in Calcutta some progress has been made in the last 20 years, but I do not consider even in this city of two million inhabitants that there is a single hospital which approaches a good provincial teaching hospital in England of twenty years ago." Sir, the Hon'ble Minister has just now said that during the year under reveiew a Nursing Committee was appointed, that is in the year 1932, and that two years hence, *i.e.*, to-day we come to learn that that report is still under the consideration of Government! The report goes on to say that "in our largest hospitals and those responsible for the training of medical men, that nursing is either inadequate or non-existent. Similarly, in Calcutta no infectious diseases hospital exists. The necessity for such a hospital increases yearly. In 1912, 844 cases of cholera were admitted with a death rate of 35·6. In the last year 2,448 cases were admitted with a death rate of 22 *per cent*. Small-pox only provided 79 cases in 1912, as against 391 in 1932. Diptheria has trebled its admissions in the *same* period. Cerebro-spinal meningitis has apparently come to stay. Measles, enteric fever, dysentery, influenza and pneumonia are all taking their

toll. Not all these can be treated in an infectious hospital but provision should at least be adequate for cholera, small-pox, diptheria and cerebro-spinal meningitis. Turning to the hospitals outside Calcutta the only advance in quality in the last 20 years is that X-rays have been made available in a number of stations. Even this advance is more apparent than real as expert radiologists are lacking. It is the man behind the machine that makes it valuable. In 1912 in Classes I, III and IV hospitals there were 2,308 beds available. In 1932, there were 3,352 beds. With such a scanty provision of beds for the province outside Calcutta, it would be expected that they would be subjected to heavy pressure. In actual fact they are not. The daily average sick in 1912 was 1,428 and in 1932 was 1,997. In 1912 the percentage occupation of beds was 66 *per cent.* as against 59 *per cent.* in 1932. The English average is round about 85 *per cent.*, anything below being a bad figure. The average stay in hospital was 26 days in 1932 and 23 days in 1912, indicating a larger proportion of chronic cases. For comparison we may take the Group B hospitals, *i.e.*, hospitals from 30 to 99 beds. There are 175 such hospitals in the provincial towns of England. They contain 8,795 beds and treated 130,525 in-patients and 279,978 out-patients in 1931. If the available beds in *mufassal* Bengal had been utilised to the same extent as in these smaller provincial hospitals in England, they would have treated 49,946 in-patients instead of the 27,549 they actually did treat. The increase in in-patients has failed even to keep pace with the increased provision of beds. In other words, confidence in Western medicine is diminishing rather than increasing."

Sir, it is not a fact that confidence in Western medicine is diminishing, but confidence in the treatment that is meted out to the patients in the hospitals have become so shabby and so objectionable that people have lost their confidence in the efficiency of the staff employed there. (RAI BAHADUR DR. HARIDHAN DUTT: "Where is that? In Calcutta?") Sir, Rai Bahadur Dr. Haridhan Dutt asks me "where is that"? I would simply point out the case from his own question put in this Council some time ago about the nursing staff of the Medical College Hospital and also the treatment meted out to some patients in the Medical College Hospital and from that he will be able to satisfy where is that". Sir, as I have been saying, "this is borne out by the statistics of surgical operations. In no branch of medicine has more progress been made in Europe than in surgery. The last 20 years has been an enormous advance and such increased confidence in surgical operative measures that very large hospitals had difficulty in coping with the demand. There has been no such increased confidence in the surgery of our district hospitals in Bengal. Sir, the report goes on to say that "local funds have not the financial resources to provide efficient hospital relief, and the present state must continue until provincial revenues are utilised to finance the *sadar* hospitals. A start should be

made with those hospitals associated with medical schools. It is not to be expected that doctors trained in those different hospitals can contribute anything to increased public confidence in Western medicine. The policy of district medical schools would be sound enough if we could provide really efficient teaching staffs and up-to-date, well-equipped and well-staffed modern hospitals. We provide neither. Sir, these are the remarks found in the Annual Report on the Working of Hospitals and Dispensaries under the Government of Bengal. I would now draw the attention of the members of this House to starred question 206, Volume XXXIX, No. 6, 1932, by Mr. E. T. McCluskie: Will the Hon'ble Minister be pleased to state how many patients suffering from tuberculosis were turned out of the Presidency Hospital from April, 1931, to May, 1932? Sir, the answer to this question given by the Hon'ble Minister was "19 were asked to leave." When it was questioned why they were turned out, the answer was that several of these patients were at first admitted with bronchitis and tuberculosis was diagnosed later. As there is no permanent arrangements for tuberculosis patients in the Presidency General Hospital, they were accommodated temporarily in extra beds and were dicharged with the closing down of these beds which were in excess of the sanctioned number in the Presidency General Hospital. When it was asked what arrangements were made for their care and attention after leaving hospital, the answer was that Government had no official information. They were turned out of the hospital and the Government had no official information as to what had become of these poor patients, but the Government state that it is understood that some of them have been admitted to the Tuberculosis Hospital at Jadavpur. A guess-work was made afterwards which was not corroborated whether they were really admitted into the hospital or not, and there were so many tubercular cases in Calcutta that the addition of 19 more was not likely to affect the situation. Then, again, an answer that was given to that pertinent question whether 19 men turned out of the hospital would disseminate infection amongst the other population and the Hon'ble Minister, who is the possessor of a high university qualification, gives this fine answer! A question was then put by my friend Dr. Haridhan Dutt, who has just now asked "where"? I will simply state his very question "where". "Whether hospitals are meant for the treatment of the sick and ill persons and not for incurables who are generally referred to the refuge?" I do not know how an eminent physician of the standing of the Rai Bahadur can class patients, who are declared as tuberculosis patients, as incurable. I am very much astonished at this. In spite of what I say he says "quite so". Then again the Rai Bahadur says—Will the Hon'ble Minister state whether Calcutta possesses any institution for the treatment of tuberculosis cases? The answer was that there is a ward in the Medical Hospital where only a few patients are accommodated and another, namely,

the Jadavpur Tuberculosis Hospital. When the Hon'ble Minister was asked to state the number of patients in the Medical College Hospital, he said "I want notice". The head of the administration says that he does not know how many beds there are in the Medical College Hospital, although he demands money year after year during the budget session and cannot answer this then and there, although notice was given of this question at least one month before. He could not give an answer, he wanted notice. Mr. Campbell Forrester asked whether about 12 months ago the Hon'ble Minister had promised that something would be done with regard to this question about tuberculosis, and asked why nothing had been done. The Hon'ble Minister replied that Government had given no promise. Well, the Hon'ble Minister was asked whether the Calcutta Corporation paid any contribution to the Jadavpur Tuberculosis Hospital. The Hon'ble Minister replied that he believed they did pay something. My redoubtable friend Mr. Shanti Shekhareswar Ray asked why steps were not taken to send these people to the Calcutta Medical College Hospital? The Hon'ble Minister says evidently there was no room. No definite answer was given as to whether these men were sent to the Medical College Hospital and why no room could be found. There was no answer on that score. When asked whether any endeavour was made to find out whether beds could be made available at the Medical College Hospital, no answer to this was given, and the Hon'ble Minister says evidently there was no bed. No attempt was made to find any shelter or any refuge for their treatment. Sir, that is one sort of sample of efficiency.

Again, our esteemed friend Mr. N. K. Basu put the same question on the 6th September, 1933. He asked what is the total number of beds in the Medical College and also whether the Presidency General Hospital is a Government Hospital and is exclusively reserved for Europeans? If the answer was in the affirmative, will the Hon'ble Minister state the reasons. Another interesting question was put here whether an Indian seriously injured in the Race Course was refused even first aid at the Presidency General Hospital and that the poor man died on the way to the Sambhu Nath Pandit Hospital? Well, the answer to this is that the only case of this sort goes back to August, 1931. The Assistant Medical Officer of the Royal Turf Club brought an injured Indian jockey to the Presidency General Hospital and requested that first aid be given. After first aid had been given, the patient was sent to the Sambhu Nath Pandit Hospital, but died on the way. If it had been realised that he had been so seriously injured, he would certainly have been admitted to the Presidency General Hospital as a temporary measure. Of course, many in this House do not know how far distant is the Sambhu Nath Pandit Hospital from the Presidency General Hospital, it will be about 15 minutes walk, and after getting first aid treatment in the Presidency General Hospital

on his way to the Sambhu Nath Pandit Hospital he died, and in that case even the Medical Officer in charge of the Presidency General Hospital had not the intellect to realise whether the case was so serious that the man would die on the way to the Sambhu Nath Pandit Hospital.

Mr. N. K. Basu again asked who was the junior officer on duty at that time to receive both Indian and European patients. The Hon'ble Minister says I want notice. Rai Bahadur Keshab Chandra Banerji asked whether it was realised from the nature of the injuries that it was a serious case. The Hon'ble Minister says this was an error of judgment. Then, again, he was asked what action Government had taken in the matter, and the reply was that it was a case of rupture of the spleen and the Surgeon-General on inquiry was told that no one could ordinarily detect it. There is another question put by Mr. N. K. Basu that according to the statement, the Honorary Opthalmist Surgeon performed 326 operations during the year while in that very statement his post is shown as vacant. How does the Hon'ble Minister reconcile this? The answer was: "It may be a misprint. I am not quite sure." Then, again, regarding the appointment of the Professor of Physiology, there were answers which were halting and disappointing from the Hon'ble Minister. Our ordinary experience may not be given as much recognition as these things will be taken into consideration. Therefore, I say that some time before there was a sheaf of questions with regard to the appointment of the Professor of Physiology in the Medical College Hospital and on that account the answers were as disappointing and halting as they could be.

Sir, again as regards the nursing staff, I think I will take only a few minutes to point out to Rai Bahadur Dr. Haridhan Dutt that it was in the Medical College Hospital that he raised his grievance. The question is, is it a fact that cabin patients are advised to engage special nurses at a fee of Rs. 14 per day for private nursing in addition to the regular charge for medicine, diet, etc.? Sir, these were the questions and the Hon'ble Minister's answers was that Government had no information. Sir, I would simply remind the House that there are infectious diseases, such as small-pox, cholera, *kala-azar*, and hundreds of preventible diseases which have not been satisfactorily tackled, and there were some members who might still recollect that in 1930, a cut motion was carried when the Hon'ble Minister Kumar Shib Sekhareswar Ray was Minister regarding the establishment of a tuberculosis sanatorium in the hills. In the face of all these facts the answers given to some of these questions, as I have quoted just now, shows the total unconcern of the Hon'ble Minister and the inefficiency of the department from the highest to the lowest.

Rai Bahadur Dr. HARIDHAN DUTT: I rise at this stage to say a few words regarding the administration of the Medical Department of

the Government. I have very attentively heard what my friend the previous speaker has told the House. Although I was very attentive, I am not disposed to attach much importance to the series of accusations against any particular person or persons. What has the case to do with the number of patients in the Medical College or the particular grievance that my friend might have in connection with a particular matter? The Minister, so far as I can understand, is the guiding factor over the whole administration of the Medical Department, but he cannot be expected, human as he is, to at once say how many beds there are in the Medical College Hospital. My friend took exception because the Minister wanted notice to find out how many beds there were. I have been a visitor to the Medical College for some years. I was a student there for five years continuously. Since then I have been in close association with the hospital, but if my friend wanted to put that question to me, I am afraid I would not be able to answer. Apart from that, one thing to which I take strong exception is this: My friend has made a general remark that these hospitals have deteriorated and have become unpopular. It is just the opposite. I remember when I was a student in the Medical College nearly 37 years ago, the hospitals were very unpopular, so much so that when any patient came for treatment in the outdoor dispensary and if he were told that he would be sent to the Campbell Hospital, very generally the man began to cry. Not only that, an eminent Professor used to say that there were two alternative treatments, for nervous diseases which we could not cure: one was to send the patient to the *post mortem* table and the other was to send him to the Campbell Hospital. This was 37 years ago. If my friend says that even now it is so, I should say "no." Hospitals are now so much in vogue that our lives have become miserable, because so many people clamour for letters of recommendation to get themselves admitted. The feature of the Campbell Hospital has changed a lot. Bribery has crept into the Medical College, because the underlings there take advantage of so many people at a time wanting to get admission. The beds in the Medical College Hospital are now coveted. I have seen with my own eyes one morning a big official lying in a bed in the Medical College Hospital for treatment. Now, what does that indicate? That high official could have summoned many of us in his own house, but instead of that he preferred to go to the Medical College Hospital. Then as regards the nursing question, I feel that the hospitals in Calcutta as well as in the *mufassal* require some sort of systematic nursing. I never suggested that the hospitals were badly managed, but the nursing system was ineffective. That is a matter which I have been trying to point out to the House for some time past. Without good nursing, half of the usefulness of the Medical College and other hospitals would be taken away. I was pressing for efficient and adequate nursing. I do not understand where Dr. Ghose got that I said that hospitals were badly managed. With better nursing, of

course, your hospitals would be much more useful. This is the answer which I would give to my friend Dr. Ghose. There are various other things to which I would have liked to draw the attention of the House, but as only an hour and a half has been given for the discussion of this head and nearly three-quarters of an hour has already been taken up, I would not like to mention all of them. However, I would like to draw the attention of the House to the inadequacy of hospital accommodation in Calcutta. Last year and year before that I brought those subjects before the House, and I got very sympathetic consideration, but I do complain that the Minister as the guiding factor over the administration of this department in Bengal ought to have done something for fostering hospital institutions in Bengal. I was surprised to find in the budget that instead of the amount of money being as before, there is some reduction. We have done nothing during the last three years which would justify us in saying that we have been doing something for the sick and injured persons in Bengal. When I came to this Council I thought that I would have some justification in being returned again to this Council if I could do something in that direction. Calcutta attracts a large number of people from outside. The Corporation of Calcutta have been trying to cope with the situation to a very great extent, but they cannot be expected to do all that is necessary for the purpose and Government have their obligations. Very well, Sir. The Government ought to provide more money for increasing the number of beds in the hospitals. As I have already said, a very large number of sick people come to Calcutta for treatment, but during the last three years nothing has been done in this Direction. When we go out next year and seek re-election, we shall not be able to say that we have done something in this matter. I know my friend the Hon'ble Minister will say that there is no money, and I admit that there is a good deal of force in that, but still some attempt should be made in the midst of our difficulties to improve the situation in the best way possible.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Dr. Ghose has covered—I am sorry he has left the Chamber—a large ground in course of his speech, and tried to level very vague allegations against this department, most of which were not allegations, but I should say compliments, because he read out from the criticisms of the *mufassal* hospitals by the Surgeon-General. Those criticisms are really meant by Government for the local bodies who are responsible for the management of the *sadar* hospitals. The first point in Dr. Ghose's speech is that the nursing staff is inadequate; in the *mufassal* hospitals there is no nursing arrangement. I would like to point out that Government are not responsible for the management of the *sadar* hospitals, but the local bodies, though Government contribute more substantially towards their expenditure than the local bodies. The total amount of contribution by Government to the *sadar* hospitals is Rs. 2,11,000, by the

municipalities Rs. 1,40,000, and Rs. 1,78,000 by other local bodies. So proportionately the contribution by Government is larger. I admit that it is not sufficient as I said on previous occasions, but my friends opposite, especially Rai Bahadur Dr. Haridhan Dutt, who is more conversant with the conditions of hospitals in Calcutta, should realise that Government have to spend nearly Rs. 20 lakhs on State hospitals in the city, and the State hospitals in Calcutta cater to the needs not only of the citizens of Calcutta but also of people from all over Bengal, if not from all parts of India. Rai Bahadur Dr. Haridhan Dutt, to whom I feel really grateful for having contradicted some of the statements made by Dr. Ghose with regard to nursing arrangement, knows that there are enormous difficulties due to social and religious bias in securing suitable persons as nurses and adequate number of nurses for these hospitals. I can only hope that in time these religious and social difficulties will be overcome and a proper type of persons will come forward to take up this honourable profession when it would be possible for the Government of the future to secure the services of an adequate number of nurses for the State hospitals in Calcutta as well as for hospitals in the *mufassal*. But as it is, the existing situation is yet far from satisfactory. So it is not possible for Government to manufacture nurses if they would like to do so.

Then there is the question of cost. The Rai Bahadur is well aware that Government's annual contribution is gradually increasing to the Hospital Nurses Institute. That institute used to get sufficient subsidy from private sources by way of donations and contributions, but on account of the economic depression, those sources are becoming drier and drier and Government have to make up the deficit every year. Last year Government, if I remember correctly, paid an additional amount of 77 to 80 thousand over and above a lakh of rupees which was the normal contribution. This year we have decided to pay an addtional amount of 50 thousand over and above the lakh of rupees. That shows that Government have not at all been unmindful, but are always anxious to maintain a regular supply of nurses to the hospitals. The Rai Bahadur has truly pointed out that half the usefulness of the Calcutta hospitals would disappear if we cannot maintain an adequate supply of nurses, but the difficulty of maintaining the supply is beyond anybody's control, and we must depend on time for improving the situation. Dr. Ghose tried to compare the hospitals in England with those in India. Nobody would deny that the hospitals in India cannot be compared with those in England. We have not the resources of England. If Bengal were as rich or even half as rich as the United Kingdom, I am sure all our hospitals would have been in a far more advanced condition to-day. Dr. Ghose referred to certain questions answered by me on the floor of this House from time to time to which I will not attempt to reply in detail, because it is neither possible nor

necessary for me to do so; but I can only refer to the case of the Presidency General Hospital Tuberculosis Ward where there are only a fixed number of beds. Some patients were admitted there because they were thought to be suffering from diseases other than tuberculosis, but later on when the cases were diagnosed as tuberculosis, those patients had to be discharged and the extra beds provided were closed down. Sir, an extra bed means extra recurring expenditure. Moreover, tuberculosis is an incurable disease, if not detected at the earliest stage; so by keeping these patients in the hospital, Government did not consider they would be justified in refusing admission to patients who might be curable, and they were perfectly right in asking these patients to leave the hospital.

Dr. Ghose referred to the appointment of the Professor of Physiology. I might remind Dr. Ghose that all these appointments are made on the advice of a selection committee, consisting of eminent physicians or eminent surgeons, both in the Government service as well as in the independent medical profession. If I remember aright, Sir, Sir Nilratan Sarkar, Dr. U. N. Brahmachari, the Surgeon-General to the Government and the Vice-Chancellor of the University of Calcutta composed the selection committee in this case, and even if they made a mistake, Government have to accept their recommendation. Rai Bahadur Dr. Haridhan Dutt said that there was a reduction in expenditure under the head "Medical." As I tried to explain in my opening speech there was no curtailment in the activity of this department, and if there was any reduction in expenditure, it was due to more cautious budgeting.

Rai Bahadur Dr. HARIDHAN DUTT: What about quinine?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That comes under Public Health, and I shall have ample opportunity of explaining this question when I deal with Public Health. If there is reduction in the "Medical" budget, it is due, as I have said, to more cautious budgeting and to saving in the diet allowance due to low prices. With these words I oppose the motion of Dr. Ghose.

Dr. Amulya Ratan Ghose's motion was then put and lost.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 66,000 under the head "32A Medical establishment—Superintendence" be reduced by Re. 1 (neglect of the Government in providing *Ayurvedic*, Homeopathic and Hydropathy, *Hakimi* and other systems of remedies in the province)."

Sir, I think it is the most sacred duty on the part of the Government to look after the health of the people, and I am sure that Government is most negligent in this respect. If the Government cannot make adequate provision for the physical, mental and intellectual welfare of the people, then all talk of good government is mere camouflage and

all bosh. I may perhaps at once be told by the Hon'ble Minister that Government has not been sparing in this respect but is making sufficient provision for the health of the people of this province. He may tell us that Government has established the Calcutta Medical College, the Campbell Medical School and many other institutions to give medical relief to the people of this province. I do not deny it, Sir. But the thing is: Who are benefited by these institutions? Your Medical College and your medical schools and hospitals and dispensaries are mostly confined to the metropolis and other districts or subdivisional headquarters at the best. But do you mean to say that by these organisations you can cope with the necessities and needs of the vast millions of people inhabiting this country? You may have started well-furnished institutions in those places, but they are only for the comforts of those who can afford to spend money for their own health. Do the benefits of these institutions reach the people at large—people in the villages, in the countryside? Certainly not. These are all for the amenities of the big people. It may be said that people from outside the metropolis come to Calcutta to be served by these institutions, but I may tell you, Sir, that those people who come from outside Calcutta to the metropolis are also wealthy people. The poorest people who cannot afford to pay a farthing out of their pocket even for their own hearth and home will not benefit by these institutions at all. They cannot even find money for their passage to Calcutta. If these people have to be benefited by these institutions, they will have to come to Calcutta; but can they come to Calcutta by spending money for their passage? Certainly not. But what do you do for the relief of those dumb millions in the countryside? Have you ever cared to go into the question deeply? Have you ever cared to have firsthand information from the people that are actually suffering on this score? I know you are very busy and you cannot make any time to go from village to village and gather information as to how these people are circumstanced in the matter of medical relief. Of course, I know that your answer will be that you cannot do anything on account of the inadequacy of the funds at your disposal. Then I must ask you, why are you here? If you cannot advise Government properly, how can you hope to cope with the situation? If you want to do real good to the people and if you feel you cannot do it simply on account of want of funds, you must advise as to how medical relief can be given to the people at a lesser cost. You can accordingly advise Government to provide *Ayurvedic*, *Hakimi*, Hydropathy, Homeopathy and other systems of medicine which are carried on at a much smaller expense. You can advise Government to do that. Much money will not be required in this case. You have hitherto kept here some institutions which are quite exotic to the country. So I hope the Hon'ble Minister will do something by giving recognition to the *Hakimi*, *Ayurvedic* and other systems of medicine which are best suited to the soil of this country.

Mr. P. BANERJI: In supporting the motion, I must first point out that in a country like ours where sufficient medicine is not available for want of funds, it is necessary that *Ayurvedic* and *Hakimi* systems of medicine should be introduced. So far as I can say, Allopathic medicine has done more harm than good, and I will prove that in a minute. After 25 years' medical practice in London, a certain gentleman was appointed Principal of a Medical College in Paris and, in a speech, he said the same thing—the Allopathic form of medicine is a great humbug, and I am quoting his very words and say that this has done more harm than good, particularly to our country, for the simple reason that I am going to give. I will narrate one instance: Some years ago, one of my friends was suffering from certain acute disease and an Allopathic doctor prescribed a certain medicine; that medicine was, however, not available anywhere in Calcutta: therefore, I with his brother had gone to a European apothecary; a certain European gentleman who saw the prescription abused the doctor and said that the medicine was floating on the sea. I inquired why he said so, and he explained that only native doctors prescribed such medicines. The medicine prescribed by the doctor after having been experimented on cattle and animals was coming out and was at the present moment in a ship.

Now, Sir, people who suffer from acute diseases go to Kaviraj Syama Das Bachaspati who is the first medical practitioner and charges a fee of Rs. 64; then, again, take the case of Hakim Ajmal Khan in Delhi who used to charge Rs. 1,000 a day. Therefore, it is obvious that these persons are most competent men in the profession so far as *Hakimi* and *Ayurvedic* systems of medicine are concerned. But Government will not support such systems. I would, therefore, suggest that the Allopathic system of medicines has done more harm than good, and it would be in the fitness of things if the Hon'ble Minister tried to introduce both these systems in the country, as the motion recommends.

Rai Bahadur JOGESH CHANDRA SEN: Mr. President, Sir, in all fairness to the Hon'ble Minister I should like to tell the House that he has already shown special interest in this matter—I mean the matter which is now under discussion before the House. The matter of having the two indigenous systems of *Kavirāji* and *Hakimi* have been engaging the Hon'ble Minister's attention of late. He has already formed definite opinions as regards the utility of these two systems, and it is only for want of money that Government cannot put forth their ideas into action. Everyone knows that Government have no money to spare in these hard times. But I would humbly urge on the Hon'ble Minister that if Government are sincere in their desire to see these two systems flourish in the land, they will not hesitate to prove their sincerity by earmarking some funds for this purpose out of the

provincial revenues; it is very difficult to obtain money from outside sources. All that I would request the Hon'ble Minister to do is to tell us what he has been doing in the mean time.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Kazi Emdadul Hoque's motion was put and lost.

The main demand under head "32—Medical" was then put and agreed to.

DEMAND FOR GRANT.

33—Public Health.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 35,86,000 be granted for expenditure under the head "33- Public Health."

Sir, in introducing this demand, I think it is my duty to explain fully the reductions in the total "Public Health" demand and the policy that has been followed by Government during the last one year, and to explain the various activities of the Public Health Department in controlling epidemics like *kala-azar*, small-pox, cholera, malaria, etc.

Sir, the total demand shows a fall of Rs. 2,57,000 against the revised estimate of the current year. This reduction is mainly due to the completion of certain important schemes which were in hand during the last several years; for example, there was a provision of Rs. 55,000 for Jalpaiguri Water-Works in the year 1933-34; the work being nearly completed, there is a reduction of Rs. 45,700 on that item alone. The Bhatpara Sewerage Scheme, which has been in progress during the last few years and which is now nearing completion, requires only Rs. 1,30,000 next year in place of 3 lakhs in the current year. So this item, too, accounts for a reduction of Rs. 1,70,000 in the total demand. The contribution towards the pay of the vaccinating inspecting staff shows a gradual reduction because of the retirement of the old Government servants who were made over to the district boards. On this item there is a reduction of Rs. 9,200. The provision for the rural water-supply has been reduced from Rs. 2,25,000 to Rs. 2,00,000, because this grant is spent on the basis of Government contributing two-thirds and the local people one-third of the cost of water-supply projects. On account of financial depression, the local contributions

have gone down, and Government find it unnecessary to make a provision for the full amount which has to be surrendered at the end of the year if it is not spent. So this reduction is really an instance of cautious budgeting, in view of the existing condition, rather than real reduction in the expenditure, because if the money is not spent at the end of the year, it will have to be surrendered. On the other hand, I must say that the rural public health grant does not show any reduction, but they show an increase, for example, the rural public health units, *kala-azar* and the augmentation grants are Rs. 32,000, Rs. 18,000 and Rs. 20,000, respectively, next year. A sum of Rs. 25,000 has been provided for as grant for the Bagerhat Water-Supply. It is needless for me to explain why it has not been possible for Government to make larger provisions as grants for improvement of water-supply in the municipal areas. Government's share of the grant towards the cost of such scheme is only one-third, whereas the local bodies have got to find out two-thirds of the expenditure, but the local authorities are not in a position to find the balance of two-thirds. But Government have taken full advantage of the easy financial market, and there is a much larger provision for loans for the local authorities in the next year's budget than in the current year; for instance, there is a provision of Rs. 2,91,000 for urban and rural water-supply, against Rs. 35,000 in the current year for the Municipalities of Jalpaiguri, Serampore, Khulna, Mymensingh and Narayanganj to receive loans for improvement of their water-supply.

I now propose to give the House a short account of the activities of the Public Health Department in controlling malaria, *kala-azar*, small-pox, cholera and for improvement in maternity work during the year.

Special quinine grant was made to the districts of Birbhum, Khulna, Rangpur, Bogra, Bankura, Mymensingh, Faridpur, Bakarganj and Tippera, besides the normal grant, and special staffs were deputed by the department to help the district boards to combat the epidemic of malaria. Distribution of free quinine was made in five *thanas* in five divisions to increase the quinine habit of the people. Anti-malaria operations were carried on at a cost of Rs. 30,000 in the Burdwan civil station, Arambagh Municipality, Dacca, Krishnagar, Santipur, Birnagar and Serampore. Government spent nearly Rs. 16,000 in carrying on a level survey to ascertain the level of water in Burdwan and Hooghly districts. To make a survey and to control Ludlowii menace round Calcutta, Government had to take emergent steps towards the middle of 1931 at an expenditure of about Rs. 17,000. Ludlowii was discovered in Budge Budge, Chengail, Canning and the Salt Lakes and even in Majerhat within the municipal limits of Calcutta. Though the duty of the Public Health Department is mainly survey operations and not actual control of outbreak of epidemics

within the area of a local body, Government realise that as under the Calcutta Municipal Act the Calcutta Corporation cannot spend money outside their jurisdiction, Government thought they would be justified in coming to their help, and therefore agreed to expend an additional amount which they would not spend in normal circumstances. Major Covell, the Malaria Expert to the Government of India, was requested to come down to Calcutta and hold a special survey of the local conditions, and suggested a scheme which would cost Government annually Rs. 47,000. In the current year Government spent Rs. 30,000 of this Rs. 47,000; the Calcutta Corporation agreed to pay Rs. 12,000, but this has not yet been received, but I understand it will be very soon. The balance (Rs. 5,000) was promised and paid—I speak subject to correction—by some of the local authorities interested in the Fringe area of Calcutta like the District Board of Howrah, 24-Parganas, Budge Budge and the jute mills. But Government had to review the whole position and have had to come to the decision that they would not be justified next year in spending Rs. 30,000 out of Rs. 47,000, and they would expect local boards to pay at least 50 *per cent.* of the expenditure and 50 *per cent.* would be contributed by Government out of provincial revenues, because of the special circumstances in which the Calcutta Corporation is situated in this matter. The local bodies interested in the Fringe area of Calcutta as well as the Corporation of Calcutta were addressed to this effect in January last. We have not yet received any replies. If these local bodies refused to pay 50 *per cent.*, Government will either have to close down the control operations, confining their activities only to the survey operations, or to evolve some means of finding that expenditure. The matter is still under consideration, and we are only hoping that these local bodies will rise to the occasion and will arrange to discharge their obligations in a proper manner.

Sir, the next point is the quinine plasmochin experiment in the district of Burdwan. The House is aware that last year this experiment was started in the Memari *thana* of Burdwan district and in 47 square miles 97 to 98 villages were taken up as the area for this experiment. The method of fighting malaria here is by an anti-parasitic campaign which was started after consulting experts and the Sanitary Board. The scheme was for treating all persons in the locality with mosquitoes who are generally free from infection. Plasmochin was added to the quinine on account of its special property to kill the gametocytes—sexual forms of malaria parasites—which alone are responsible for the propagation of malaria parasites. Colonel Sinton, the Director-General of Malaria Survey of India, and the Malaria Commissioner of the League of Nations, after careful and prolonged critical consultation, approved of the experiment. The population which was treated in that experimental area was 21,409, 30 *per cent.*

of whom were children. House-to-house visits were started and plasmochin was distributed to 20,450 people. It is difficult to say, however, how many of them actually took both the quinine and plasmochin, but we infer from the results that the majority did, because the parasitic rate fell down immediately after the distribution of quinine from 16·5 *per cent.* to 5·5 *per cent.* According to the programme, 30 malaria treatment centres were opened in which infected persons might come for treatment at a fixed time, but not more than 50 *per cent.* of the patients did actually visit the treatment centres and others were under the influence of local quacks. Minute observations were made of the rise and fall of infection amongst the mosquitos in the villages under experiment, and in villages in which monthly spleen index was taken, it came down in 11 villages out of 13, it was constant in one, and increased in another. It has been decided to carry on the experiment next year to enable the Public Health Department to arrive at a definite result——

Maulvi SYED MAJID BAKSH: In the same area?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, in the same area. The experiment will not be a success unless it is carried on in the same area.

Maulvi ABUL QUASEM: For how long?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Only next year; that was the recommendation made by the Public Health Committee.

Maulvi ABUL QUASEM: Was there no malaria last year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have spoken at great length on this point, and I only expect that hon'ble members would listen to me more closely.

Well, Sir, the fact that there is a 75 *per cent.* fall in sickness amongst the general public proves that the result is sufficiently encouraging, and this justifies a further experiment next year. Attempts are being made in close co-operation with the local people and presidents of union boards and district boards of Burdwan to carry on this experiment, and I am glad to say we have had close co-operation from the district boards and union boards in many of the presidency towns.

With regard to the treatment of *kala-azar*, there were 118 *kala-azar* and 209 subsidised centres in which about 116,036 patients were treated. The number of *kala-azar* cases show gradual reduction, and there is no doubt that the disease is definitely under control. Next year Government propose to spend Rs. 20,000 more on *kala-azar*, so that the

normal grant would be increased to Rs. 57,000 in controlling *kala-azar*. In order to promote free vaccination in rural areas, an annual provincial grant was made to district boards in order to enable them to appoint additional vaccinators. The average annual expenditure for the last five years has been Rs. 4,82,959; of this amount the Government contribution from the provincial revenues amounted to Rs. 1,80,556, the balance being paid by the district boards. The number of vaccinations in the whole presidency is increasing every year. The number in 1928-29 was 2,050,827 for primary vaccinations, 3,229,202 for revaccinations, making a total of 5,280,029; the corresponding figures for 1932-33 were 2,522,872; 4,162,351 or 6,685,223 in all. That shows how rapidly the number of vaccinations is increasing. Vaccination being the only effective weapon to combat outbreaks of small-pox, Government is trying to reduce the price of vaccine lymp, and I am glad to say that this province produces vaccine at the lowest cost, *i.e.*, 1·11 pies per grain. We keep a very large quantity of vaccine lymp ready for use by the Public Health Department and the local bodies as the demand will arise. The prevention of epidemic diseases is primarily the concern of the local bodies, and when they are unable to cope with the situation, a temporary staff, generally known as field staff, come to their help. Whenever there was demand from district boards, the Public Health Department has ungrudgingly sent out officers of the department to their help, and the district of Mymensingh, Tippera, which have suffered most from the recent outbreak of malaria, had to be helped in this way. Sir, the total quantity of cholera inoculation that has been given was 10·01,690 c.c. during 1932 and 11,60,710 c.c. during 1933. This was generally distributed to the district boards and municipalities. The total quantity distributed to district boards and municipalities during 1932 was 9,52,105 c.c.

Sir, the total amount spent on *dai*-training remains at the same figure, namely, Rs. 28,000, and the total number of *dais* trained during 1932-33 was 1,212. The number was practically nil before 1928, but the number is now rapidly increasing.

Sir, I might inform the House that last year as a measure of retrenchment Government agreed to abolish one Assistant Engineer and one Executive Engineer in the Public Health Department and their work has been distributed to other officers in the department. But the post of the Assistant Director of Public Health in Rajshahi Circle, which was amalgamated with the post in Dacca Circle, was abolished by accepting the recommendations of the Retrenchment Committee of 1932, but it has now been revived, because Government found it impossible to cope with the increased amount of work of inspecting the rural public health units in Rajshahi and Dacca Circles and because these officers had to do the inspecting work of three divisions,

namely, Dacca, Rajshahi and Chittagong, consisting of a large number of municipalities, inspection of which is one of the duties. Besides the inspection work of these public health units, Government spends nearly Rs. 10 lakhs on these public health organisations, and they found in the long run that it would be more economical if proper supervision is enforced.

The post of the Assistant Director of Public Health in charge of School Hygiene has been abolished according to the recommendations of the Retrenchment Committee and his work within the town of Calcutta has been transferred to the Education Department, whereas the work outside the town of Calcutta has been distributed among the different Assistant Directors of Public Health; the work has not suffered. It is being carried out by different officers amongst themselves.

With these words I beg to commend my motion to the acceptance of the House.

Rai Bahadur Dr. HARIDHAN DUTT: I wanted to make a few remarks about a substantive proposal in connection with the original demand which is now before the House.

Mr. PRESIDENT: The practice has always been that we dispose of all the motions for reduction or refusal first and then take the main demand. Probably, you will find in one of these motions an opportunity of speaking on any particular point in connection with the main demand.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 5,99,000 under the head "33A—Public Health Establishment" be reduced by Re. 1 (inadequacy of grant and question of providing sufficient expenditure, if necessary, by loan).

Sir, I must at the outset congratulate the Hon'ble Minister for his very interesting account of the work of the Public Health Department. We find that a great many improvements, additions and extensions have been made in the work of the department. The policy of loans to public bodies for public health work, water-supply, etc., is a very good one. Then, as regards the plasmo-quinine experiment in the district of Burdwan, we are glad to hear that it has turned out a success and that it is going to be repeated next year. I hope he will be able to extend the same experiment in other places as well. As regards vaccination and vaccine treatment, we find that a great advance has been made. All these show that there is a very great scope for work and so we want a great deal of money for the various activities outlined in his speech. But if we turn to the actual budget figures, we find that there is room for improvement. In 1932-33 the actuals for public health (voted) were Rs. 35,80,000. The revised

estimate for this year came up to Rs. 37 lakhs, but the estimate for next year is only Rs. 35,86,000. Thus it appears that the estimate for next year is less than the revised estimate for the current year. It will be generally admitted by all that the amount budgeted is insufficient to meet all the demands. We want more centres for treatment of malaria; we want vaccination to be given more freely; we want more centres for treatment of epidemics, and so on. I moved a similar resolution last March and, in his reply, the Hon'ble Minister said that Bengal, in spite of bad times, had not retrenched in the matter of expenditure on this head and that Bengal had spent a larger amount than any other province under this head. That is no doubt very good. But like Oliver Twist we always ask for more. It will be admitted that far more can easily be spent, but there is no money available from ordinary revenue. So, as I suggested last year, I say that although we have incurred a very big loan, can we not raise a further loan and earmark the same for the purpose of development of public health? We must show a large amount of expenditure for our normal requirements. In view of the pending financial arrangement with the Central Government, it would be I think a mistake to reduce our expenditure. In our fight for more grant, in our fight for a larger share of the income-tax, in our fight for the whole of the jute export duty, I think we should show that a large sum of money is wanted for public health, medical, etc. So I want our Minister to fight for more grant and to see if we cannot raise a loan for this purpose.

Mr. J. N. GUPTA: I beg to move that the demand of Rs. 35,86,000 under the head "33—Public Health" be reduced by Rs. 100 (inadequacy of the grant).

Sir, I also wholeheartedly support the motion of my friend Mr. S. M. Bose and I want to draw the attention of the House to the need for a far greater amount of money for this basic department of the Government of Bengal. I am sure we shall all agree that health is the foundation of all schemes of national welfare, be it the improvement of education or the material advancement of the condition of the people. It is well known that Bengal is probably the unhealthiest part of India, and it is no wonder that our revenue is steadily decreasing and in some parts of the province the population is stagnant, if not actually decreasing. I am sure the attention of the Hon'ble Minister must have been drawn to the address of Sir James Megaw about the "planning of life" to save India from a serious catastrophe. He has pointed out that Bengal of all the provinces of India is the most anæmic and almost semi-starved, with the result that more than 60 *per cent.* of the people are in a chronic state of debility. He has also pointed out that the vicious circle of poverty leads to disease and disease leads to poverty. He has recommended that there should be a complete and comprehensive

scheme to save the people from the grip of this vicious circle and to restore in time the health and prosperity of the people. I am sure that though the Hon'ble Minister has done all he could under the present financial circumstances of the province, yet he would be most grateful if the House supported him to obtain a far larger grant so that this department could work on far more comprehensive and adequate lines. I would personally like to see in each circle of the union boards a well-equipped medical institution, both for preventive as well as curative work, and that institution and its officers should co-ordinate their work with the local bodies—union boards, municipalities and district boards. It will not do for the Government simply to say that certain duties are the legitimate responsibility of the local bodies and, therefore, Government can afford simply to look on. It is the duty of Government to stimulate these bodies and, if necessary, to place adequate funds at their disposal. No doubt some attempt in this direction is being made and small loans have been advanced to these bodies, but efforts on a small scale will have very little effect. Disease not only kills but emasculates the population so that they have no energy left either for earning more or for aspiring for a higher standard of life. From every point of view therefore this is the department which Government must feed most generously. I, therefore, strongly recommend that Government should boldly go in for a large loan so that the sources of life and the vitality of the people might be revivified. We all welcome the appointment of a Commissioner for Rural Development, but as I have said on a previous occasion this officer should not simply wait for the recommendations which would be made or which are about to be made by the Economic Board or by any other body. Surely, he has materials enough already to start work if adequate finances are placed at his disposal. I think public health is the department along with agriculture and co-operation that would afford him the best and surest means of improving the moral and material condition of the people of the rural areas. I will not labour the point more, but I would strongly urge that Government should have a complete and comprehensive scheme for dealing with the health problems of the province, and with that object they should at once raise a very large loan. Our revenues are steadily going down I admit, but the only way to resuscitate our revenues is to go to the sources from which revenue can be raised and to raise the health of the people so that they might work better and earn more and, in time, produce more wealth and from that wealth the province will get more revenue. Unless that is done, I am sure it will not do to simply wait for doles from the Government of India. It is not the Permanent Settlement which is standing in the way of the province in getting that amount of revenue which it so badly needs, but it is the dying and decaying condition of the people that is responsible for it. If we want to see better days, we must improve the health of the people.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I rise to give my general support to the motion under discussion, and in doing so I draw the special attention of my hon'ble friend the Minister in charge to the quinine grant which appears on page 79 of the Government of Bengal budget. I draw the attention of the members here to the strange thing that we find there. The quinine grant which was Rs. 2,40,000 in the budget for 1933-34 has now been reduced in the budget for 1934-35 to Rs. 1,20,000, that is a reduction by half. In this connection I would point out that a serious difficulty lies somewhere else. The quinine that the Government of Bengal has to buy is a very costly commodity. In previous years I pointed out how it was possible to manufacture quinine at a much cheaper cost than the Government of Bengal has to pay at the present moment. Since then I have been trying to find out what were the actual bars that stood in the way of the price of quinine being cheaper in Bengal. Sir, I indicated the line last year and once more I would point out the difficulties which stand in the way of quinine being cheapened. The Hon'ble Minister will find that from a grant of Rs. 2,40,000 for quinine it has come down this year to Rs. 1,20,000. Certainly it will not be contended that the necessity for quinine would be met even if there is only this sum of Rs.1,20,000 at the disposal of Government. Certainly it must be admitted that we shall have to go on with a smaller quantity of quinine than what we require and what we should have bought but for the reduction in the budget. It has been found from the report which is in my hands now, from the Government Cinchona Factory in Bengal, and the writer of that very clearly points out that the price of quinine which was Rs. 26 per lb. before has now been reduced to Rs. 19-8, and he takes some credit in bringing it down. The writer has again pointed out—I am quoting from his report—"that the lack of proper organisation after the distribution should be recognised as one of the causes of these accumulations, and a resolution placing this finding on record was adopted." That was in a conference, Sir; then he points out that "although such an organisation had not taken shape by the end of the year and has not even now been in being, an alternative scheme whereby the trade will be invited to share in the distribution of India-grown quinine is now well under way and may help towards the solution of the stock problem." Here he refers to certain stocks lying rotting which the Government of India did not sell for reasons of their own, and the Government of Bengal too cannot get that quinine for use, but has to buy perhaps imported quinine at a higher rate. This is, Sir, an anomalous condition and should not be allowed to exist any more. If my friends who are interested in the question will look into it properly, they will be surprised to find that outside India there is an organisation of manufacturers of quinine which is known as Quina Bereauh. The people interested in the manufacture of this are Dutchmen, not even any British subject. These Dutch people are manufacturing quinine

and they practically hold the monopoly in quinine in the world. I understand that the only Britishers associated with these Dutchmen are Messrs. Howard and Co., whose name we all have heard—they are big dealers of quinine. The Dutchmen are manufacturing quinine in Java and other places all outside India; large quantities are manufactured and the prices of quinine are kept up according to the sweet will and propensity of these manufacturers. The Government of India and the Government of Bengal have to purchase quinine at Rs. 26 per lb. which has now been reduced to Rs. 19-8 per lb. I once again ask the Hon'ble Minister to tell us if it is possible for the people of Bengal to pay Rs. 19-8 per lb. for quinine. I pointed out last year that after rice and cloth we have to think of quinine. The poor cannot buy quinine and the Government must help them. So it is ridiculous that only Rs. 1,20,000 has been provided for the Government's quinine requirements of Bengal. Sir, I was looking through the proceedings of the last budget session and I did not find that there was any answer to my question and nobody had the courage to say that I was wrong nor any satisfactory reply was given on behalf of Government. Now, I stand before the House and protest that that state of affairs still continues. Quinine, as I have just said, after rice, bread and cloth, is the most important thing to us people of malaria-stricken Bengal. Poor men who even cannot buy rice sufficient for their full requirements, have to find five or six pice to buy quinine from the local post offices in order to get rid of the shivering ague fits of malaria; otherwise, they will not be able to go out for their work or even go out of their rooms. Sir, under these circumstances, it is not difficult to realise what would be the condition of these poor men whose quinine grant is reduced. Sir, I know the position of the Hon'ble Minister and I sympathise with him: I know that he is very anxious to get as much money as possible for the health of the people of the province, but perhaps circumstances over which my friend has no control have compelled him to accept the reduction of grant; but, Sir, we must express our great regret that the quinine grant should be reduced. Whatever this may be, I am prepared to come to the rescue and suggest means by which cheaper quinine could be available; why should there be a monopoly for selling quinine? (A VOICE: "Contract, contract.") I do not know that, but if it is so, I call it an unholy contract and do not know why should such contracts be given to a monopoly company. Here, Sir, a vast number of people of Bengal are dying, and I may quote from the official report the true state of things: The annual number of malaria cases is given at one hundred million; but this number, apart from cases of mortality from other diseases brought into hospitals, is criticised as being possibly an underestimate.

It is a question of life and death for one hundred millions of the people of India. If that be so, is it necessary that we should try to cheapen the price of quinine. Quinine should be available for sale

at Rs. 2-8 or Rs. 3 a pound, so that anybody who requires quinine may be able to get it without difficulty. May I ask what the Government of Bengal has done for cheapening quinine? For the last three years I have been asking questions and suggesting means, but no answer is given to me except, I think, the only reply given by Sir B. B. Ghosh last year that my information was not correct. Might I ask if anybody could contradict me when I say that there is such a thing as Quina Bereauh and that some Dutchmen and Messrs. Howard and Co. sell it at their own price in India? Sir, the cinchona bark is not allowed to be sold to us; although cinchona bark is produced in different centres in India, it is not allowed to be used by us for manufacturing purposes: it is rotting, but there is no arrangement for its distribution; nothing is done for its private manufacture in India. I could have understood, Sir, if it had been 20 years back when India was industrially backward and when it might not have been possible to manufacture quinine in India. But is it not time now that some arrangement should be made for the manufacture of quinine from cinchona bark in India? Who has not heard of the manufacturing chemists—I mean Messrs. Smith, Stanistreet and Co.; the Bengal Chemical and Pharmaceutical Works; B. K. Paul and Co.; Standard Drug Co.? Who does not know that there are many chemists who are competent enough to manufacture quinine in India? But the stumbling block is that they cannot get cinchona bark. You cannot ask them to begin the cultivation of cinchona bark as it will not be ready till after 10 or 12 years for manufacturing quinine: that would be unreasonable. Give them cinchona bark and see if they cannot manufacture quinine. I am sure, Sir, that Messrs. Smith, Stanistreet, and Bengal Chemical Works are quite competent to manufacture quinine at once. I am speaking of Bengal, but there are others in other provinces of India who may be competent to prepare quinine. I may tell the House that no attempt has so far been made in this direction by the Government. I do not see why now an attempt should not be made to cheapen the price of quinine. I ask the Hon'ble Minister to look into the matter. I suggest that a representation should be made to the Government of India to the effect that in the present state of affairs in Bengal it is essential to manufacture quinine in India. I know, Sir, that it is for the Government of India to deal with the question of cinchona bark, but why not make a respectful representation to them, pointing out the necessity of cheapening quinine and the possibility of its manufacture in Bengal? The Retrenchment Committee recommended—and Khan Bahadur Azizul Haque and Mr. J. N. Basu will perhaps bear me out—the sale of cinchona bark in India, but the recommendation was turned down. Sir, if anybody wants to manufacture quinine here but cannot get cinchona bark, there is no help. The insinuation would naturally be that the Government of India is particularly anxious to help Howard and Co., and others who are holding the key to the situation so far as quinine is concerned; they will not allow cinchona bark to be sold to

anybody else; although it is lying rotting, India cannot get the benefit of it. Sir, I once more ask for an answer and I hope it should be forthcoming or something practical should be done.

Mr. NARENDRA KUMAR BASU: In rising to support the motion I do not want to repeat what I have been saying in this Council at every budget session, that the amount spent on public health in Bengal is much too inadequate.

Maulvi ABUL QUASEM: Rather utterly inadequate.

Mr. NARENDRA KUMAR BASU: I accept the emendation of my friend, Sir, and say that it is utterly inadequate; when one remembers that for a population of 50 millions the amount budgeted for is about 3½ millions only, that is to say, a magnificent sum of 3 pice per head of the population for one of the unhealthiest tracts in India and when one remembers that the entire "Public Health" budget is less than 2 *per cent.* of the entire expenditure of the province, I shall not ask the House to calculate the percentage of expenditure on public health to the expenditure on police. The health of the people, I submit, is certainly more important, especially in Bengal, than their physical well-being, so far as law and order is concerned. Sir, I submit it is no use repeating these figures and these ratios year after year, because what do we find? We find that the Hon'ble Minister gets up in his place and says—"because there is no money, I am content to mark time. It is enough that the expenditure on public health has not been further reduced and the Council should remain satisfied with that." I submit, Sir, that the case is far worse than would justify this smug self-complacence of the Hon'ble Minister who has succeeded in keeping figures for the expenditure on public health at the level that he has. I submit that while it is perfectly true that it is probably not possible for the transferred departments to get more money out of Government, yet expenditure on jails and police are bound to be excessive year after year. I also submit that my good friend Mr. S. M. Bose has made out a very good case for the Hon'ble Minister to accept his suggestion that in order to save the lives of the people of Bengal, to make them fit to live, and to make them fit for internment, he had better float a loan! I am not talking either against internments or justifying them but if the very low percentage of able-bodied youths, below 21 or above, are all interned by the Government and if on account of ill-health the rest of the population is interned in their homes by nature for good, then I should like to know for whose benefit these internments should take place at a colossal expenditure on police and jails? There will be no policemen, no informers, no spies, no intelligence department,

remaining to be paid if those that are not ill are interned, and the rest of the population are too ill to move about. In the interests of the Department of Law and Order, I would ask the Hon'ble Minister to tell the Cabinet—that in the interests of the Departments of Law and Order at least—it is necessary to preserve the health of Bengal! We know, Sir, that the ravages of tuberculosis, ravages of leprosy, etc., are spreading in Bengal at alarming rates and the Hon'ble Minister has, on the floor of this House, acknowledged, times without number, that the provision for tuberculosis cases in hospitals is absolutely negligible. He has admitted in this House that several tuberculosis patients have had to be turned out from the Presidency General Hospital because of want of beds. I think that even in the eyes of the Hon'ble Minister the provision of accommodation for tuberculosis patients in the hospitals is absolutely negligible. I do not know whether there are more than 20 beds in the Calcutta Medical College Hospitals. (RAI BAHADUR HARIDHAN DUTT: "There are about 30 beds in the Calcutta Medical College Hospitals".) My friend Rai Bahadur Dr. Haridhan Dutt says that there are about 30 beds in the Calcutta Medical College Hospitals: that is all what Government have done for a premier city like Calcutta where the people flock from all over Bengal in order to have medical assistance. Sir, I am not going to tell the House of the incidence of tuberculosis in Bengal which I gave last last year, because it may be that the figures are not officially checked, but I hope the Hon'ble Minister will not say that the incidence of tuberculosis in Bengal is negligible. I know something about the incidence of tuberculosis, and I also know of the helpful remedies which can protect the people against tuberculosis, *viz.*, sanatorium treatment for these cases for which there is practically no provision; but it is certain that the ravages of tuberculosis are increasing by leaps and bounds, and I submit that the House will find to its arrangement that there is a provision of Rs. 10,000 in the budget—and that too to the Tuberculosis Association of Bengal—and that there is practically no mention of any State aid for the provision of beds in hospitals. We have just heard, in the course of the last debate, that Government in the Medical Department have been successful in finding out another Rs. 50,000 for a very laudable purpose. I hope, similarly, in the case of public health also the Hon'ble Minister will succeed in finding out some more funds to fight tuberculosis, to fight leprosy, and to combat malaria. If not, I hope, he will accept the suggestion so ably made by Mr. S. M. Bose and immediately float a loan for the purpose.

Maulvi ABUL QUASEM: Mr. President, Sir, I rise to give my support to the motion that has been moved by Mr. S. M. Bose, Sir, the grant under the head "Public Health" is utterly inadequate. In spite of the pleadings of the Hon'ble Minister I think, Sir, that the fact

remains that the grant is a mere trifle compared with the needs of the situation. The public health of this presidency is deteriorating as everybody knows. What the Government are spending to improve the sanitation and health of this province dwindles into insignificance compared with what they are spending on the police. There is one very serious point which has come to light in the speech of the Hon'ble Minister. Last year the provision for supply of quinine and *kala-azar* specifics was considerably greater than in previous years; this year it has been reduced by about half. Sir, there is absolutely no justification for disbursing the supply of quinine and cinchona. So far as my district—I mean the Khulna district—is concerned, I might recall to the House that in answer to a question put to the Hon'ble Minister by myself, it was admitted by the Hon'ble Minister that *kala-azar* had actually increased in the district of Khulna: the same is true as regards malaria. The *thanas* of Satkhira and Kalaroa are notorious hotbeds of malaria and *kala-azar*. There has been a decrease of population in the two *thanas* during the last decade. Sir, in support of this statement I may refer to the remarks of Mr. Porter, made in his Census Report, about this decrease: The cause is certainly the ravages of *kala-azar* and malaria. Malaria and *kala-azar* may have decreased in other districts, but so far as my district is concerned there is no sign of any check to these scourges. Government, therefore, should not have decreased the grant for quinine and cinchona. Sir, last year it was understood that if the experiment with a particular drug in some *thana* in the district of Burdwan proved successful, it would be tried in other parts of Bengal. Now, we are told, the experiment would be repeated in the same area this year. It is not known how long it would take to pronounce finally upon the experiment. If the experiment proves a success, no time should be lost to extend it to other malarious parts of Bengal, particularly my district.

As regards the grants that are made to the district boards for anti-malarial purposes, I submit, that we in Khulna have the unfortunate and bitter experience that these grants are a sheer waste of money. I might, perhaps, inform the Hon'ble Minister in charge of the Local Self-Government Department that the District Board of Khulna declined this year to accept any money from Government by way of anti-malarial grant. They were convinced of the inutility of such grants, and, accordingly, they refused to accept the grant. The district boards are required to grant an amount out of the District Fund equal to that granted by Government and distribute the whole amount among union boards for anti-malarial work. The work done does not touch even a fringe of the gigantic problem and really, much of the money is not spent for the purpose intended. Sir, if this anti-malarial grant were diverted to the purpose of augmenting and supplementing the funds of the charitable dispensaries and *kala-azar* centres in the district, so that more quinine and more cinchona and *kala-azar* drugs

could be at their disposal for fighting epidemics of malaria and *kala-azar*, then that would be a far better way of spending the grant. Sir, I repeat that this anti-malarial grant does not touch even the very fringe of the most acute malaria problem with which Bengal is faced. The money is required to be spent merely in clearing some jungle and in sprinkling kerosine oil in tanks, *dobas*, etc. But, to my mind, it appears to be a sheer waste of money because the grant is far too small and that even is not actually spent. The need of the hour is that more quinine and cinchona and *kala-azar* drugs should be available for the villagers, so that they might to some extent protect themselves from the ravages of the two fell diseases of malaria and *kala-azar*. Well, Sir, Government ought to know that waste is taking place and should seriously reconsider the policy underlying the anti-malarial grants. If Government would place a larger supply of quinine and cinchona at the disposal of the charitable dispensaries, that would be a move in the right direction.

Then, Sir, there is another point. I brought it to the notice of the Hon'ble Minister some time back that when there is an outbreak of malignant malaria or cholera in the rural areas, there is no adequate arrangement to combat the epidemic; speedy and generous assistance are not available for dealing with these terrible scourges. So far as the public health organisation in the different *thanas* is concerned, we find that a *thana* is too big a unit to be dealt with by one sanitary inspector and one assistant alone. It often happens that there are outbreaks of epidemics in several parts of a *thana* at the same time and one can well imagine how difficult, if not impossible, it is for only two officers to grapple with the problem. I think, Sir, that this question of the inadequacy of a public health grant is not properly appreciated by Government, otherwise more money would surely be forthcoming. Sir, the problem of public health in Bengal is colossal, and it is to be deeply regretted that the disproportion between the measures which are being taken and the imperative needs of the situation is equally colossal. Sir, I urge with all the earnestness I can command that the work done by the Public Health Department should be real, efficient and comprehensive, calculated to do genuine good to the people and to this end a vastly larger grant is essential.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. President, Sir, At the outset I must express my thankfulness to the hon'ble members who have initiated this discussion and for offering some helpful suggestions. I must congratulate Mr. S. M. Bose, Mr. J. N. Gupta, and others for the friendly way in which they have criticised the activities of this department. They have improved the level of the debate, and Government fully appreciate the sentiments expressed by the hon'ble members. Sir, Mr. Bose's suggestion is that Government

should float loans for carrying on public health policy. First of all, I may remind him that the Government of Bengal are not in affluent financial circumstances at present. They have not been able to balance their budget, and they have been carrying on the normal expenditure of the province by overdrafts from the Government of India. So it would be difficult for this Government to approach the Government of India for further loans to increase the activities of any department unless they can impress on the Government of India that such an expenditure is absolutely necessary for carrying on the administration of the province. Sir, the recurring expenditure of a Government cannot be carried on by loans. But if any new scheme can be initiated which would benefit not only the present generation but the future generations as well, certainly there would be much justification for taking up that scheme through loans. But financially situated at present as we are, I see no prospect of the Government of India agreeing to any loan proposal for increasing our activities either in the Public Health Department or in any other department. So far as we can afford it, we have advanced loans to some of the local bodies to improve their water-supply, and in my opening speech I fully explained that Government proposed to give much larger amounts as loans to some of the municipalities next year. There would be a provision of Rs. 2,90,000 against the provision of Rs. 4,31,000. So I hope my friends will admit that this is an attempt in the direction they advocate.

Mr. J. N. Gupta suggested that there should be an endeavour to secure more money for public health activities because public health is the real foundation on which the future of the province should be built. I entirely agree with him. Sir, I can assure everyone in this House that I hold exactly the same view as Mr. Gupta about the importance and usefulness of public health work. But we cannot be carried away merely by sentiments. We have got to face very hard facts. The present financial position of the Government cannot be ignored, however much we might wish to do so. Government have undertaken some experiments, anti-malaria experiment, and if that experiment succeeds, whether it is carried on in Burdwan or in Khulna it does not matter, it is merely an experiment, it is not yet a curative measure, and if the financial position of the province improves, which I hope it will in the near future, there will be ample justification for initiating schemes covering a larger area.

Mr. Gupta has said that he would like to have medical institutions in each union board area. Sir, only a few years ago Government introduced the public health circles at a recurring expenditure of Rs. 10 lakhs. We have at present 575 such health units. It is a heavy expenditure, and it is a very large addition to the recurring expenditure under the 'head "Public Health." It is for the local bodies to co-operate and to take full advantage of these public health circles and

of the presence of these health inspectors and the public health assistants in charge of these public health circles. Sir, over and above this, Government every year help many young men to pass out from the medical schools who are expected to settle down in the *mufassal*, so that cheap medical help may be available to the people in the country-side. Government bear large recurring expenditure in maintaining medical schools in the province.

Sir, Rai Bahadur Dr. Haridhan Dutt referred to the reduction in the quinine grant. First of all, I would remind him that this increased quinine grant was made not as a permanent grant, but it was only to increase the quinine habit of the people. The normal grant is Rs. 1,20,000 and that has been repeated in the next year's budget. The addition that was made was only for one year, so that the people's habit of taking quinine may increase.

Rai Bahadur Dr. HARIDHAN DUTT: How can habit be created in one year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Just to initiate it, not that it would be a perfect experiment. As some additional quinine was available, Government thought that they would be justified in making proper use of it. So there is no reduction in the normal quinine grant. I may impress on the House that the same amount, *i.e.*, Rs. 1,20,000, is going to be provided in the next year's budget. Besides this, the augmentation grant is made to the district boards and they are also expected to spend a large amount in supplying quinine to their dispensaries and to the local people. So it is really Government that help the district boards in supplying the quinine to the people in rural areas, but only indirectly.

Mr. N. K. Basu criticises the inactivities of this department with regard to measures against tuberculosis. There was no provision for controlling tuberculosis just two years ago, but since last year we have provided Rs. 10,000 for propaganda work against tuberculosis, and I am glad to say that the Bengal Tuberculosis Association find that amount very helpful in enabling them to carry on their propaganda work. Besides, this Rs. 10,000 Government have established their Publicity Department. We started it only a few years ago with one party; to-day we have 12 parties working in this province. Besides that, only recently we sent out one motor van with public health pamphlets and charts to disseminate knowledge about public health amongst the people, and I am glad to say that the van has been a great success. There are 30,000 tuberculosis cases in Calcutta at present. That is the figure given by the Tuberculosis Association. So if we start one sanatorium with 50 beds or 150 beds, that will not even

touch the fringe of the problem. But Government follow the policy of prevention is better than cure. Prevention is more important in a problem like this than providing for a handful of patients. I only wish it were possible for Government to start sanatorium over and above the propaganda work that they have been carrying on or helping other institutions to carry on. But on financial grounds, as is well known to the House, we cannot afford to be more generous at present; we have been trying our utmost.

Mr. Abul Quasem remarked and so said Mr. N. K. Basu that the public health grant, though large, is utterly inadequate. I can only repeat the figures of last year. In 1921-22 the Public Health demand of this province was in the region of Rs. 23 lakhs. Look at the figure to-day it is nearly Rs. 48 lakhs. That shows that the Government are not at all unmindful of the public health problems, and in spite of financial difficulties they have tried to push on the public health activities and find money to carry on their work in this direction. Nobody minimises the usefulness of public health work. Nobody wants to ignore the fact that the future of the province depends very largely on public health conditions in an unhealthy province like Bengal. It is a question of ways and means. If there are ways, there are no means at present. I can only repeat that it is certainly a matter of entire satisfaction to Government that they have been able to succeed in keeping the expenditure up to a certain level.

Mr. Quasem said that he was assured that the anti-malaria experiment should be carried out only for one year in Burdwan, and then it would be transferred to another district. I do not remember to have given any such assurance. It is only fair that an experiment should be carried on under the same conditions within the same area for a sufficient number of years, and the Sanitary Board, Colonel Sinton, the Director General of the Malaria Survey in India, and the Malaria Commissioner to the League of Nations, are all of opinion that it should be repeated in the same area and we have to follow the expert advice. This year there was some amount of bias against this experiment as was bound to be against a new thing. But this year's result, I hope, will convince those who have been benefited by the experiment or those who had an opportunity of watching the experiment very closely, and next year there would be better co-operation from the people, so that the experiment would be a complete success and it would enable Government to draw definite inference from the experiment.

Mr. Quasem has also suggested that in Khulna district the anti-malaria grant is wasted and his district board is of opinion that the money should not be spent on anti-malaria grants but should be transferred to the quinine grant.

Maulvi ABUL QUASEM: On a point of order, Sir. I did not say that; I said that Government gave a certain amount to the district board to be spent on anti-malaria activities and the district board accepted that amount, but the district board carried out the work and had to pay for it out of their own pockets.

(The Council was adjourned for 15 minutes.)

After adjournment.

(The time-limit for the discussion of the head having been reached, the guillotine was applied.)

Mr. S. M. Bose's motion was then, by leave of the Council, withdrawn.

Mr. J. N. Gupta's motion was then put and lost.

The main demand under the head "33—Public Health" was then put and agreed to.

DEMAND FOR GRANT.

34—Agriculture.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 21,87,000 be granted for expenditure under the head "34—Agriculture."

The chief variations in the budget have been explained in the financial statement, and I shall confine my remarks to the main points relating to the budget. As explained by the Hon'ble Finance Member in his budget speech, the budget for 1934-35 has been prepared under most depressing conditions and consequently utmost economy had to be exercised in framing it.

Turning to retrenchment, I may mention that the Rangpur Cattle Farm has been closed down chiefly on the ground of the unsuitability of the farm as a breeding centre, as represented by the departmental experts including the Animal Husbandry Expert to the Imperial Council of Agricultural Research. The work of cattle-breeding has now been centralised at the Cattle Section in the Dacca Farm, a number of cattle having been transferred to it from Rangpur. With regard to the question of curtailment of the activities of the Sericultural Department, it has been found possible to abolish five sericultural nurseries and one post of Superintendent of Sericulture. In coming to this decision, Government have been impressed with the necessity of curtailing expenditure as much as possible consistently with the carrying

on of the essential activities of the Sericultural Department and, in the interest of those engaged in the silk industry in Bengal, maintaining the supply of pure line and disease-free seed cocoons in the province by encouraging larger production of disease-free seed by selected rearers under departmental supervision and control. The ultimate saving effected so far under the head "34—Agriculture" by retrenchment amounts to Rs. 1,53,108.

Although financial stringency has unfortunately proved a serious handicap to work of development, I am glad to be in a position to assure the Council that progress continued to be maintained. It has also been possible to initiate important schemes of agricultural and veterinary research. As indicated in the financial statement, six schemes of agricultural research and one scheme for veterinary research have been provided for in the budget. Another scheme for fruit research at Krishnagar has also been finally sanctioned, and a horticultural station is being established at Krishnagar at a capital cost of Rs. 19,150 and a recurring expenditure of Rs. 51,760 over a period of five years. The schemes relating to investigation into rice, sugarcane, fruit and animal diseases are of special interest to the province. The investigation of fruit cultivation is of importance in view of the fact that the province spends large sums annually on imported fruits. It is hoped that the scheme for research on rice which has been started on an elaborate scale at the Chinsura and Bankura Farms, will result in the introduction of improved strains of trade rice in Western Bengal and will thereby stimulate the export of this class of rice which has decreased considerably in recent years. The Veterinary Disease Investigation Officer is now engaged in working out the best method of applying the "serum simultaneous" inoculation under field conditions in rural Bengal. This method of inoculation confers long immunity on cattle from rinderpest. It is hoped that as a result of the experiments it will be possible to reduce the cost of this method. Another important item of work which is being taken up is the improvement of hill cottons for which a capital grant of Rs. 300 and a recurring grant of Rs. 18,540 for a period of five years have been obtained from the Indian Central Cotton Committee. The cotton produced in the hills is of a very short staple, which makes it unsuitable for spinning, and the object of the investigation is to evolve a long staple cotton suitable to the hill tracts. An investigation into the local consumption of cotton in Bengal is also being financed by the Indian Central Cotton Committee who have sanctioned Rs. 2,500 for the purpose.

In my budget speech last year, I had occasion to explain in detail the position in regard to the cultivation of sugarcane and the manufacture of sugar in this presidency. I am glad to be able to inform the House that progress in these directions has continued to be made.

The acreage under cane has increased by 25 *per cent.* during the last four years. As a result of departmental propaganda, there has been a remarkable extension of the area under Coimbatore cane in the province. It is estimated that improved sugarcane is now grown on an area of 1,25,000 acres. There has also been an increased demand for cuttings of Coimbatore 213 sugarcane. In 1932-33, thirteen lakhs of cuttings were supplied from Government farms, while 75 lakhs of cuttings are reported to have been exchanged or sold by cultivators already growing the crop. A recent survey of sugarcane tracts has revealed that compact areas can be found in various parts of the districts of Rangpur, Bogra, Rajshahi, Dinajpur and Malda in the Rajshahi Division; Faridpur, Dacca and Mymensingh in the Dacca Division; Nadia, Jessore, Murshidabad and the 24-Parganas in the Presidency Division; and Burdwan in the Burdwan Division. The supply of cane in the local areas is reported to be sufficient for the establishment of up-to-date sugar factories. The Agricultural Engineer has been devoting his continued attention to experiments in the crushing of cane and the manufacture of *gur* and sugar. The cane-crushing mill designed by him was further improved with satisfactory results, its capacity was not below 30 maunds of cane per hours while 44 maunds was the maximum, and the maximum extraction rose to 74 *per cent.* Improvements have also been made in the rab furnace. A power-driven pug mill and an improved type of molasses furnace have also been designed and installed. It is reported that during the last year over thirty-two open pan factories were in operation in the province and three large vacuum pan factories were under construction. Eleven open pan factories have utilised machinery wholly or partly designed by the Agricultural Engineer. Thirty-two 1-ton mills made to the design of the Agricultural Engineer have been sold as also 17 boiling plants constructed to his design. Provision has been made in the budget now before the House for the installation of an up-to-date 10-ton sugar factory for the purpose of demonstration at the Berhampore Farm, where arrangements for making sugar already exist. Unless a profitable means of the utilisation of sugarcane for the production of sugar can be demonstrated to the public, it is apprehended that the possibilities of sugarcane as a revenue crop in Bengal might be jeopardised. Accordingly, the Agriculture Department have been advocating the establishment of sugar mills.

I am glad to be able to inform the House that as a result of the activities of the department towards the agricultural development of the country, there has been a rapid increase in the number of private farms which form an important link between the departmental farms and the cultivators. In 1932-33 remarkable progress was made in the introduction of departmental varieties of paddy seed which are grown on an area of 9,000 *bighas* in 228 centres and of which the yield was 15,500 maunds. It is reported that 7¼ lakhs of acres are under departmental

paddy. A pleasing feature was that, among other agencies, union boards and co-operative societies played an important part as the agencies for the multiplication of departmental seeds. The question of introduction of fodder crops is also engaging attention. Napier grass has already been introduced; in 1932-33 about 80,000 cuttings of this grass were distributed.

The scheme for the training of *bhadralok* youths in practical agriculture at the Faridpur Farm is being continued. Five batches of five youths have completed their training and *khas mahal* lands have been or are about to be settled with them. The youths with whom lands have already been settled are now growing different varieties of departmental crops on their lands. The total number of high English and middle English schools with agricultural classes now in existence in this province is 57, including 14 in which classes were opened in January, 1933. About 2,000 boys have so far received training in agriculture—both practical and theoretical. It is hoped that with the agricultural bias given in the schools an increased number of students will take to agricultural farming as their profession.

The concentrated work of the two live-stock officers—one in charge of the Malda-Rajshahi area, and the other in charge of the Hooghly-Nadia area—shows good results. There are 161 stud bulls in the former area, while there are 97 stud-bulls in the latter area. The district boards of Rajshahi and Malda have each contributed Rs. 500 a year towards the work of cattle improvement in their districts.

As the House is aware, the co-operative movement in Bengal is passing through a crisis owing to the prevalent economic distress consequent on the slump in prices of agricultural produce during recent years. As a result, the credit of the agriculturist has been greatly reduced and the loans contracted by him at a time when money was easily available cannot be met by him after meeting the expenses of his own living at the present moment when money is scarce. This has necessitated the provision of long term credit for the relief of the agriculturist. It has, therefore, been decided to establish five land mortgage banks as an experimental measure on co-operative lines in selected centres, two of which have already been started—one at Comilla and the other at Mymensingh—and the third will be in Pabna. It is proposed to start the remaining banks during the ensuing financial year.

The post of Deputy Registrar which was abolished on the recommendation of the Retrenchment Committee of 1923 has been revived for assisting the Registrar in the control of these banks as well as in his general duties. Government have undertaken to assist the banks for the first three years of their existence with such financial assistance

as may be found necessary to make them run without loss. A sum of Rs. 40,000 has been provided, subject to the vote of the Council, towards the cost of the staff of these land mortgage banks.

The capital required by these banks will be raised by the issue of debentures by the provincial co-operative bank. Government have also undertaken to guarantee the interest on the debentures to the extent of 12½ lakhs of rupees and for the entire period of the currency of the debentures.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. PRESIDENT: I will now take up the motions for reduction.

MOTIONS FOR REDUCTION.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 5,280 under the head "34A—Agriculture—Superintendence—Other gazetted officers" be reduced by Re. 1 (to discuss the necessity of introducing sericulture and establishing model sericulture farms in the districts of Jessore, Nadia and other suitable districts of Bengal).

Sir, as my motion indicates, there is sericulture in existence in some other districts in Bengal, as for instance, the district of Malda, and next to Malda comes Murshidabad as the district in which sericulture is still in existence. Sir, the sericulture industry of Bengal was once a flourishing industry. It produced wealth not only for the growers who produced silk in their homes but also for those who sold the fine silk fabrics and sent them to distant parts of the world. It has brought plenty and riches to many a home and as a home industry there is nothing like sericulture to equal it. I hope the Hon'ble Minister and his department know very well that in Malda and Murshidabad no great attempts have been made to help the people in starting this industry. The peasants of Murshidabad and Malda have adapted this as a cottage industry to their needs and as by their habits from generations they were trained to produce silk and cocoon, they easily took to it. If this system is introduced in other parts of Bengal, it will greatly help in diminishing the economic distress that is prevalent in Bengal. I myself have been to Malda and Murshidabad and have seen many of the silk-producing firms—of course it will not be proper to describe them as firms or rather the silk-producing home industry. The peasants themselves along with their womenfolk rear the caterpillars and the silk-worms, being fed on the proper plants, produce cocoons and from that silk is made. I may mention that the soil and climate of Nadia and Jessore are not different from that of Malda and Murshidabad, and if silk can be produced in Malda and Murshidabad, I believe that with

proper experiment and necessary attention being given by the department, silk can also be very well produced in these districts. Of course I am not certain as regards districts where the water and the air is rather saltish—I mean the southern part of Khulna, but there are other parts of Khulna where sericulture may be carried on with profit. I am not aware whether healthy silk-worms can be bred in the eastern district where the climate is rather moist, but if the department can produce a variety of silk which will be able to withstand the peculiarities of climate, I think it will be possible to produce silk in other parts of Bengal. So far as these two districts are concerned, I know that in the jungles of Nadia and Jessore a sort of coarse silk is produced, and I doubt not that if it is improved, it can be made into a commodity of great value, just as the tea leaves growing in the wilds of Assam were improved into the present day tea. These facts conclusively prove that silk can also be produced in the districts of Jessore and Nadia.

Sir, I may briefly describe the method, which is very simple. There is a plant called mulberry plant, and which is grown just as other plants are grown, namely, on the soil, but if you grow it in a house it would be all the better, for there is a danger of the works being eaten up by birds, though it is not a fact that in the open air the worms cannot grow on the mulberry plant. Therefore, it would be better if they were grown in a house. In that house as soon as worms come out of their eggs they are fed on mulberry plant and in course of time they grow big——

Reverend B. A. NAG: Is it not like a lecture delivered to school and college boys?

Maulvi SYED MAJID BAKSH: Well, Sir, there are people who carry their ignorance right up to their old age.

Mr. PRESIDENT: Reverend Mr. Nag is not old; he has what I may call fraudulent grey hair. (Laughter.)

Maulvi SYED MAJID BAKSH: Sometimes appearances betray, Sir, but apart from the questionable age or wisdom of my friend, I may say in short that as these caterpillars grow up they leave their cocoons and silk in the usual way, which everyone knows, and I would suggest that if proper attention is given by the department along with their agricultural farms, which exist almost at every district headquarters, if they issue instructions to their agricultural officers to undertake this particular experiment just as they undertake experiments with regard to the growing of a particular variety of sugarcane, etc., or of other field products, in order to set an example to the people, if they set up model

producing farms for sericulture and show the people how mulberry plant grows and how out of them insects or worms can be fed and silk produced, then that will be a very great help to people who may be willing to learn the art. It is a very ancient art, Sir, and if I had more time at my disposal, I could have given a very lucid history of it, in spite of the fear of incurring the displeasure of grey hairs. If this is done, then it will be of great economic help to the people, who may be able to learn its advantages as a cottage industry and their female folk will also be able to help them. Moreover, the cost is very low. I may say that by building a sericulture factory at Beldanga a Muhammadan gentleman has amassed fabulous wealth, not less than one or two crores. There is another man who too has become very rich——.

Mr. PRESIDENT: Order, order. We will hear of your El Dorado to-morrow. (Laughter.)

Adjournment.

The Council was then adjourned till 3 p.m. on Friday, the 23rd March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 23rd March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 88 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Holding of court late in the evening by the Second Officer, Satkhira.

*146. **Maulvi AZIZUR RAHMAN:** (*a*) Is the Hon'ble Member in charge of the Appointment Department aware—

(*i*) that the Second Officer of Satkhira used to hold the court every day late in the evening during the whole month of Ramzan to the great disadvantage of both Muslim lawyers and their Muslim clients who observed fast in the last month of Ramzan; and

(*ii*) that the said Second Officer did not even grant the Muslim clerks and allow the Muslim lawyers exemption to abstain from attending the court on the 17th day of January, 1934, as a special holiday for the Muslims for the Id day this year?

(*b*) Are the Government considering the desirability of issuing instructions to the said Second Officer of Satkhira to give proper facility to the Muslim legal practitioners and Muslim litigating public for prayer in the afternoon and in the evening?

(*c*) If the answer to (*a*) is in the affirmative, what steps, if any, do the Government propose taking against the said Second Officer of Satkhira?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*)(*i*) The officer in question was not

stationed at Satkhira for more than half of the month of Ramzan. It is correct that he sat late on certain days of that month, but he did so with the consent of the parties, in order to dispose of long-pending cases, and avoid further adjournments.

(*ii*) This officer was absent from Satkhira on the 17th January, 1934.

(*b*) No.

(*c*) Does not arise.

Maulvi SYED MAJID BAKSH: Is it a fact that the last *Id* holidays were arranged according to the convenience of the week-end and not according to the convenience of Muhammadan prayers?

The Hon'ble Mr. R. N. REID: Need I answer this question, Sir?

Mr. PRESIDENT: (To the Hon'ble Mr. Reid) I think it is more a joke than a question.

Scheduled castes.

***147. Rai Sahib SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*i*) the names of castes who are included in the list of the "Scheduled Castes"; and

(*ii*) the names of such castes that are considered as "Backward" or "Depressed" classes for the purpose of appointment in Government services?

(*b*) What is the difference, if any, between the terms "Depressed classes" and "Backward classes" for appointment in Government services?

The Hon'ble Mr. R. N. REID: (*a*) (*i*) The list has not yet been finally approved, and Government are therefore unable to publish it.

(*ii*) The member is referred to the list of "Minority Communities and Backward Classes" in Schedule II of the Recruitment Rules for the Provincial Services, a copy of which is placed on the Library table and to the list attached to Government order No. 3540A., dated the 28th April, 1931, as regards appointment to ministerial posts.

(*b*) The term "Depressed classes" is not used in connection with appointment to Government service.

Cess (Amendment) Bill, 1934.

*148. **Raja Bahadur BHUPENDRA NARAYAN SINHA:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) when the recently passed Cess (Amendment) Act will come into operation; and

(*ii*) what are the districts which will be taken up for revaluation according to the Cess Act?

Mr. O. M. MARTIN: (*i*) As the House is aware, the Bill has been returned to the Council with a recommendation.

(*ii*) Does not at present arise.

Mr. SHANTI SHEKHARESWAR RAY: Has the Bill been returned as a recommended Bill?

Mr. O. M. MARTIN: Yes.

Mr. SHANTI SHEKHARESWAR RAY: Will the Bill be treated under section 52 or under section 66 of the Act?

Mr. O. M. MARTIN: Under section 66.

Mr. SHANTI SHEKHARESWAR RAY: Is it not a fact that under section 66 the Bill is to be returned for reconsideration and it is not to be treated as a recommended Bill?

Mr. PRESIDENT: I do not think it is necessary to go into that question at this stage as it is more or less a point of view which can be disposed of when it arises.

Mr. SHANTI SHEKHARESWAR RAY: I should like to know whether the Bill comes to us as a recommended Bill or only as a Bill for reconsideration?

Mr. PRESIDENT: It has already been pointed out that it has been sent back under section 66 of the Rules and Standing Orders.

Mr. SHANTI SHEKHARESWAR RAY: So it has been sent for reconsideration and not as a recommended Bill.

Disposal of forfeited firearms.

*149. **Mr. H. R. NORTON:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that Government are selling by private treaty and/or at public auction firearms forfeited or seized from licensees and others?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing for the past 12 months—

(*i*) the number of weapons so sold;

(*ii*) the amount credited to Government by such proceeds; and

(*iii*) the average price realised per weapon?

(*c*) Is the Hon'ble Member aware that S. B. guns and D. B. guns can be purchased privately from certain court *malkhanas* at ridiculously low prices, in some instances as low as Rs. 2 for S. B. guns and Rs. 5 for D. B. guns?

(*d*) Have the Government considered the loss involved by such procedure in customs duty alone, where the purchaser would invariably obtain his firearms from a licensed dealer on which a minimum import duty of Rs. 18-12 per weapon is levied on the cheapest class to 40 per cent. and 50 per cent. on firearms of an imported value exceeding Rs. 40 and over, apart from the increased income-tax dealers would be liable to pay by such additional sales?

(*e*) Are the Government considering the desirability that all weapons forfeited to Government and which cannot be utilised for any department of the Government should not be sold in any way whatsoever but forthwith destroyed, not only in the interests of Government revenue but also for the gun-dealers in general?

(*f*) Is the Hon'ble Member aware that gun-dealers are suffering heavily owing to the political situation and the restrictions in the issue of licenses?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*) and (*c*) Confiscated and forfeited firearms, with the exception of rifles of prohibited bores and revolvers and pistols, are sold by public auction. In a few cases weapons have been sold by private treaty to Government servants.

(*b*) A statement is laid on the table.

(*d*), (*e*) and (*f*) The matters referred to entail considerations on which the Local Government alone are not competent to come to a decision, but they will receive attention.

Statement referred to in the reply to clause (b) of starred question No. 149, showing the number of weapons sold during the past twelve months, the amount credited to Government by such proceeds and the average price realised per weapon.

Number of weapons—812.

Amount credited to Government—Rs. 7,830-1.

Average price realised per weapon—Rs. 9-10.

Mr. H. R. NORTON: Does the Hon'ble Member think that the prices realised are less than half the custom duty that would have been paid for the least expensive among them? Does he think that a fair price was obtained by auction?

The Hon'ble Mr. R. N. REID: That is a matter of opinion and not a request for information.

Forfeited firearms.

*150. **Mr. H. R. NORTON:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing for the past 12 months the number of weapons—

(*1*) rifles,

(*2*) guns,

(*3*) revolvers and pistols seized, forfeited or deposited to Government with the exception of the district of Chittagong?

(*b*) Will the Hon'ble Member be pleased to state whether the unsold weapons each year are actually destroyed in accordance with the Government rules at present in force?

(*c*) If the answer to (*b*) is in the negative, what is the quantity of weapons which are still held over in the various court *malkhanas*?

(*d*) Will the Hon'ble Member be pleased to state whether all rifles of prohibited bores and revolvers and pistols forfeited and/or seized by Government are duly sent each year to the Ordnance Officer designated for that purpose, to be broken up and destroyed?

(*e*) If the answer to (*d*) is in the affirmative, what is the quantity sent for that purpose during the past 3 years?

(*f*) If the weapons referred to in (*d*) have not all been so sent to the Ordnance Officer, will the Hon'ble Member be pleased to state—

(*i*) how many weapons are still held in the various *malkhanas*;

(*ii*) whether the Government orders on this subject have been complied with; and

(*iii*) whether in view of the possibility of terrorist raids on such *malkhanas* the Government are considering the desirability of taking steps for a strict compliance with their orders on the subject?

The Hon'ble Mr. R. N. Reid: (*a*) and (*e*) A statement is laid on the table.

(*b*) Yes.

(*c*) Does not arise.

(*d*) Yes.

(*f*) Does not arise.

Statement referred to in the reply to starred question No. 150 (a) and (e), showing the number of weapons deposited, seized and forfeited for the past twelve months, and the number of weapons sent to the Ordnance Officer, Fort William, Calcutta, during the past three years for destruction (excepting Chittagong).

Number of weapons deposited, seized and forfeited for the past twelve months—

Rifles—272.

Guns—3,705.

Revolvers and pistols—530.

Number of weapons sent to the Ordnance Officer during the past three years for destruction—658.

Maulvi SYED MAJID BAKSH: From whom were these rifles confiscated?

The Hon'ble Mr. R. N. REID: I want notice.

Mr. H. R. NORTON: Out of 4,500 guns only 658 are said to have been destroyed during the last three years. In answer to the preceding question it was stated that 812 have been sold. Am I to understand that 350 are now lying with Government?

The Hon'ble Mr. R. N. REID: I understand they have been destroyed locally.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a fact that the confiscated guns remain the property of Government until they are sold?

The Hon'ble Mr. R. N. REID: Yes, and they are kept for one year or so—up to a certain date, I think. The time may be extended, however.

Khan Bahadur Maulvi AZIZUL HAQUE: That being so, is it not open to the original possessor to sell it at his own price?

The Hon'ble Mr. R. N. REID: Yes.

Mr. H. R. NORTON: Can the Hon'ble Member assure us that all the rifles confiscated within the last 12 months have been destroyed?

The Hon'ble Mr. R. N. REID: Yes, they have all been destroyed. I gave that assurance just now. Those that were not sold have been destroyed.

Maulvi SYED MAJID BAKSH: Licenses for over 272 rifles were issued; may I inquire to whom these licenses were issued?

The Hon'ble Mr. R. N. REID: To suitable persons, Sir.

Readjustment of seats in municipalities.

*151. **MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing -

(*i*) the names of municipalities in which the number of nominated commissioners have been fixed at more than one-third of the statutory provision;

(*ii*) the nature of recommendations received from those municipalities for the readjustment of number of commissioners in which provision has been made for seats for the minority communities; and

(*iii*) the reason for readjustment of the seats against the recommendations of the commissioners?

(*b*) Is the Hon'ble Minister aware of a feeling of resentment that exists over the way in which provisions have been made for the readjustment of seats?

(*c*) If the answer to (*b*) is in the negative, are the Government considering the desirability of instituting an enquiry into the matter?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*)(*i*) A list of municipalities, in which the number of nominated commissioners has been increased under the provisions of section 18(*1*)(*i*) of the Bengal Municipal Act, 1932, beyond the statutory proportion, is placed on the table.

(*ii*) and (*iii*) Provision for reservation of seats for the minority community has been made in 77 municipalities. Information required by the member in respect of each such case is not readily available, nor can such information be compiled without an expenditure of time and labour which, in the opinion of Government, would be disproportionate to its value.

The allocation of seats both general and reserved among wards in each municipality has been made in accordance with the population or the number of rate-payers in the different wards, the amount of rates paid and the general importance of each ward; and after giving full consideration to the recommendations made by the local bodies concerned and by the local officers.

(*b*) and (*c*) **No.**

List referred to in clause (a) (i) of starred question No. 151, showing the names of municipalities in which proportion of appointed commissioners has been increased under section 18(1) (i) of the Bengal Municipal Act, 1932.

1.	Raniganj.	7.	Bhadreswar.	13.	Naihati.
2.	Champdany.	8.	Budge-Budge.	14.	Halisahar.
3.	Bansberia.	9.	Baranagar.	15.	Bhatpara.
4.	Serampore.	10.	Kanchrapara.	16.	Kamarhati.
5.	Uttarpara.	11.	Garulia.	17.	Dum-Dum.
6.	Rishra-Konnagar	12.	Tittagarh.	18.	Khulna.
				19.	Narayanganj.

MUNINDRA DEB RAI MAHASAI: With reference to (*a*)(*ii*) and (*a*)(*iii*), was the allocation of seats in the Bansberia Municipality made in accordance with this principle?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice. I have no doubt that the general principle was followed.

MUNINDRA DEB RAI MAHASAI: Were the Commissioners of the Bansberia Municipality consulted about the reduction of the number of seats from 2 to 1 in a particular ward?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

Lead-poisoning cases in Presses.

***152. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing since 1931—

(*i*) how many cases of lead-poisoning have occurred in the Bengal Government Press since 1931; and

(*ii*) in how many cases the Government have had to pay compensation for cases of lead-poisoning since 1931, with the names and designations of the compensated and the amount paid to each of them?

(*b*) Are the employees of the Bengal Government Press regularly examined and preventive measures taken?

(*c*) Is the Hon'ble Member aware from expert opinion or statistics that lead-poisoning cases crop up from bad sanitation?

(*d*) If the answer to (*c*) is in the affirmative, is the Hon'ble Member also aware that presses owned by private persons are worse from the sanitary point of view than the Government Presses?

(*e*) Will the Hon'ble Member be pleased to lay on the table a statement showing for the year 1933—

(*i*) how many presses were visited by the Inspector of Factories;

(*ii*) in how many cases were the proprietors prosecuted for violation of the Factory Rules;

(*iii*) in how many cases were these prosecutions launched upon for violation of the sanitary rules of the Factory Act and with what results;

(*iv*) how many cases were examined by the Certifying Surgeons in 1933;

(*v*) how many cases were found out or suspected by them to be lead-poisoning cases;

(*vi*) the number, if any, of those cases reported to the higher authorities by the Certifying Surgeon; and

(*vii*) the names of the victims and the presses in which the lead-poisoning cases were found out?

(*viii*) Did the Certifying Surgeon visit the Bengal Government Press in the years 1931, 1932 and 1933?

(*f*) Did he find out any case of lead-poisoning in the Bengal Government Press in the years 1931, 1932, and report the cases, if any, to higher authorities?

(*g*) If the answers to (*f*) are in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the cases so reported?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*)(*i*) and (*ii*) A statement is laid on the table.

(*b*) The employees, other than scheduled workers, in printing presses, including the Bengal Government Presses, are not required to undergo a regular medical examination. Preventive measures against lead-poisoning are taken in the Bengal Government Presses.

(*c*) Government are aware that the absence of preventive measures increases the risk of lead-poisoning.

(*d*) It has been reported by the Factory Inspection Department that sanitary conditions in the smaller private presses are not so good as in Government Presses.

(*e*) (*i*) to (*viii*) A statement is laid on the table.

(*f*) and (*g*) Do not arise.

Statement referred to in the reply to starred question No. 152 (a).

Since 1931, four cases have been declared to be cases of lead-poisoning. In these cases Government have paid compensation, as noted below:—

1. Babu Nagendra Nath Aich, Compositor—Rs. 2,310.
2. Babu Anadi Nath Banerji, Compositor—Rs. 2,730.
3. Babu Kanai Lal Nath, Compositor—Rs. 1,942-8.
4. Babu Narayan Chandra Sarma, Compositor—Rs. 2,730.

Statement referred to in the reply to starred question No. 152 (e).

(*i*) All the 102 printing press factories were visited.

(*ii*) The Manager in 46 cases, the Director in 1 case and the occupier in 1 case.

(*iii*) In four cases: all ended in conviction, the fines ranging from Rs. 5 to Rs. 25. None of these prosecutions was in regard to the infringement of section 19B of the Act read with Part II of the Schedule.

(*iv*) Twenty-seven scheduled workers were examined—*vide* paragraph 2 of Part II of the Schedule to the Act. Other workers are not subjected to a periodical medical examination.

(*v*) No scheduled worker was found to be suffering from lead-poisoning.

(*vi*) and (*vii*) Do not arise.

(*viii*) No, because no scheduled workers are employed at the Bengal Government Presses.

Liquor license in Bengal.

***153. Maulvi MUHAMMAD FAZLULLAH:** (*a*) Will the Hon'ble Minister in charge of the Revenue (Excise) Department be pleased to lay on the table a statement showing, for the year 1933-34—

(*i*) how many country liquor, foreign liquor, ganja and opium shops were sanctioned in each of the districts of Bengal;

(*ii*) how many of these were held by Muslims and how many by non-Muslims;

(*iii*) how many vacancies of country liquor, foreign liquor, ganja and opium licenses have, so far, occurred in each district; and

(*iv*) how many of them have been settled with Muslim candidates?

(*b*) Are the Government considering the desirability of fixing a percentage of licenses to be given to Muhammadan candidates in each district?

(*c*) How many graduate and under-graduate Muhammadan candidates have been registered for excise shops in Calcutta?

MINISTER in charge of REVENUE (EXCISE) DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*), (*ii*), (*iii*) and (*iv*) A statement is laid on the table.

(*b*) No.

(*c*) Graduates—19.
Under-graduates—14.

Statement referred to in the re

Name of district	Number of shops settled in the year 1933-34.						Number of shops held by Muslims.						Numb
	Country spirit.	Foreign liquor.	Ganja.	Opium.	Combined shops.	Total.	Country spirit.	Foreign liquor.	Ganja.	Opium.	Combined shops.	Total.	Country spirit.
	1	2	3	4	5	6	1	2	3	4	5	6	1
Burdwan ..	78	12	66	55	..	211	8	..	12	9	..	29	70
Birbhum ..	24	4	34	25	..	87	4	..	8	4	..	16	20
Bankura ..	32	1	26	25	..	84	2	..	1	1	..	4	30
Midnapore ..	105	8	62	72	..	247	11	..	9	9	..	29	94
Hooghly ..	77	8	62	64	..	211	3	..	1	3	..	7	74
Howrah ..	29	..	32	30	..	91	..	..	..	..	..	..	29
24-Parganas ..	77	27	116	112	..	332	3	1	5	6	..	15	74
Calcutta ..	52	48	43	40	..	183	5	2	2	4	..	13	47
Nadia .	23	6	38	32	..	99	1	..	4	4	..	9	22
Murshidabad ..	29	1	32	27	..	89	1	..	4	4	..	9	28
Jessore ..	6	1	4	..	38	49	1	..	..	..	2	3	5
Khulna ..	25	2	40	37	..	104	4	..	8	7	..	19	21
Dacca ..	32	5	69	33	..	139	3	1	12	5	..	21	29
Mymensingh ..	28	9	75	5	39	156	3	4	22	1	9	39	25
Faridpur ..	13	3	28	20	..	64	1	..	4	2	..	7	12
Bakarganj ..	12	4	43	41	..	100	..	1	1	2	..	4	12
Chittagong ..	13	5	31	32	..	81	..	..	10	11	..	21	13
Tippera ..	15	4	42	21	..	82	2	..	6	3	..	11	13
Noakhali ..	4	2	12	13	..	31	..	..	3	3	..	6	4
Rajshahi ..	21	2	41	16	..	80	4	..	8	3	..	15	17
Dinajpur ..	35	1	43	21	..	100	5	..	7	5	..	17	30
Jalpaiguri ..	51	11	38	16	..	116	..	..	5	4	..	9	51
Rangpur ..	40	5	63	38	..	146	5	..	4	4	..	13	35
Bogra ..	18	2	30	11	..	61	5	..	6	..	..	11	13
Pabna ..	17	4	33	9	..	63	1	..	1	..	..	2	16
Malda ..	29	1	38	15	..	83	1	..	6	4	..	11	28
Darjeeling ..	27	5	8	7	..	47	..	..	1	1	..	2	27
Total ..	912	181 (d)	1,149	817	77	3,136	73	9	150	99	11	342	839

* Two were restored to the original licensees on appeal.

(a) Of which 2 were surrendered. (b) Subsequently surrendered.

to starred question No. 153 (a).

shops held by non-Muslims.				Number of vacancies in 1933-34.						Number settled with Muslim candidates					
Ganja.	Opium.	Combined shops.	Total.	Country spirit.	Foreign liquor.	Ganja.	Opium.	Combined shops.	Total.	Country spirit.	Foreign liquor.	Ganja.	Opium.	Combined shops.	
3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	
54	46	..	182	4	..	1	1	..	6	..	..	1	1	..	
26	21	..	71	2	..	2	2	..	6	1	..	..	..	..	
25	24	..	80	5	..	1	1	..	7	..	..	..	..	..	
53	63	..	218	3	..	..	..	..	3	..	..	..	..	..	
61	61	..	204	1	..	..	..	..	1	..	..	..	..	..	
32	30	..	91	3	..	1	1	..	5	..	..	..	..	..	
111	106	..	317	7	2	6	4	..	19	..	..	..	..	..	
41	36	..	170	4	1	4	1	.	10	1	1	..	1	..	
34	28	..	90	1	..	..	..	..	1	..	..	..	..	..	
28	23	..	80	3	..	4	3	..	10	1	..	1	1	..	
4	..	36	46	2	1	1	..	1	5	..	..	..	.	..	
32	30	..	85	1	1	..	..	..	2	..	..	..	..	..	
57	28	..	118	1	..	3	1	..	*5	1	..	1	..	..	
53	4	30	117	..	3	4	.	1	8	..	..	2	..	..	
24	18	..	57	..	..	..	..	..	..	..	..	..	..	..	
42	39	..	96	..	1	1	1	.	3	..	..	..	..	..	
21	21	..	60	..	..	2	1	..	3	..	..	1	..	..	
36	18	..	71	..	..	..	..	..	..	..	..	..	..	..	
9	10	..	25	1	..	1	1	.	3	..	..	1	1	..	
33	13	..	65	1	..	3	1	..	5	..	..	1	..	..	
36	16	..	83	3	..	3	..	.	6	1	..	1	..	..	
33	12	..	107	4	..	5	3	.	12	†1	..	(a) 3	(b) 2	..	(c
59	34	..	133	2	..	2	2	..	6	2	..	2	2	..	
24	11	..	50	1	..	1	..	.	2	..	..	..	..	..	
32	9	..	61	1	..	1	..	.	2	1	..	1	..	..	
32	31	..	72	2	..	4	1	..	7	1	..	1	..	..	
7	6	..	45	..	..	..	..	..		..	..	..	..	..	
999	718	66	2,794	52	9	50	24	2	137	10	1	16	8	..	

† Settled but subsequently surrendered

(c) Of which 5 were surrendered. (d) Excluding 36 trade licenses in Calcutta.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state if all these licences had been given out on the fixed-fee system?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, except in those districts where in the current year the experiment in auction system is going on—such as in the districts of Tippera, Mymensingh, the industrial area of Hooghly, Bankura, Birbhum and Midnapore.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not a fact the reversion to the old auction system has led to a considerable increase in the revenue?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The matter is still under examination and Government have not yet arrived at a final conclusion.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not a fact that the Hon'ble Mr. Woodhead in his speech mentioned that the reversion to the auction system has led to an increase in the revenue side?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Some increase in revenue is noticeable, but whether it is due entirely to the auction system is yet to be found out.

Khan Bahadur MUHAMMAD ABDUL MOMIN: May I take it that the settlement of shops is made mainly on the principle of doing away with the unemployment question of Bengal?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not considered as a patronage of this department for second sons of influential people?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. It is a very restricted patronage and very carefully used.

Khan Bahadur MUHAMMAD ABDUL MOMIN: What is the reason that out of 3,136 shops only 342 were given out to Muhammadans?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Muhammadans were not very keen in obtaining licences for liquor shops as the

hon'ble member himself knows very well, and I have no doubt that the District Magistrates who are in charge of settling shops in the *mufassal* consider the claims of all applicants.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not within the knowledge of the Hon'ble Minister that at least in Calcutta there are a very large number of Muhammadan applicants for excise shops and their complaint is that their applications are not considered favourably?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am not aware of any such complaints. I have no doubt that every consideration is shown to Muhammadan candidates.

Mr. NARENDRA KUMAR BASU: Is it not a fact that Muhammadans by their religious tenets are not allowed to sell liquor?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am not versed in the religious tenets of Muhammadans.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not considered derogatory for Brahmins to sell liquor?

(No reply was given.)

Mr. W. H. THOMPSON: Is it not a fact that in one instance the Local Government have turned down the application of a Muhammadan which was recommended by the Licensing Board of Calcutta?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It was turned down not because that the applicant was a Muhammadan but because Government did not approve of the site that was recommended by the Licensing Board.

Mr. W. H. THOMPSON: Is it not a fact that this particular site was recommended by the Licensing Board and by the Calcutta Police?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, the Calcutta Police did not recommend it so far as I remember—speaking from memory.

Mr. W. H. THOMPSON: Did the Government consult the Licensing Board again before turning down the recommendation they made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Licensing Board was given an opportunity to reconsider its decision.

UNSTARRED QUESTION

(answers to which were laid on the table)

Bhatpara municipality.

64. Mr. K. C. RAY CHOWDHURY: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the election of the commissioners of the Bhatpara municipality took place 11 months ago?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons why the new board has not been constituted as yet?

(*c*) How soon is the new board likely to function?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The election of commissioners of the Bhatpara municipality was held in March, 1933.

(*b*) The election of one of the commissioners being a nullity Government have ordered a fresh election which will be held on the 31st March, 1934.

(*c*) The board will be reconstituted as soon as the result of the fresh election is known.

BUDGET GRANT FOR 1934-35.

DEMAND FOR GRANT.

34—Agriculture.

MOTIONS FOR REDUCTION.

Mr. PRESIDENT: We were discussing motion No. 589 last evening and I think Maulvi Syed Majid Baksh was in possession of the House.

Maulvi SYED MAJID BAKSH: Sir, as I pointed out yesterday the improvement of sericulture would bring about an improvement in the economic condition of the people of this province. All that I would suggest to the Hon'ble Minister is that he ought to constitute a Committee to inquire into the question of whether mulberry plant could be favourably cultivated all over the province for the purpose of introducing silk industry. If this is done, I think ways and means can be found by which the Committee will be able to come to a conclusion about the conditions necessary for the peasants to become used to the production of this valuable article of commerce. Facts and experience can be gathered from the sericultural factories of Malda

and Birbhum and then the Committee will be able to come to a conclusion whether this industry should be spread all over the province by propaganda or by direct method. I think it would be a supplementary source of income to the cultivators and in a great measure it will rehabilitate the economic condition of the province. I need hardly point out that silk is a well-known valuable product. It was almost a monopoly in ancient India until it found its way to the East to China and to the West to the Roman Empire. We find poetic descriptions of silk in the works of Pliny Strabo and others. Silk in those days used to be imported by Arabs of Yemen to Europe. We have descriptions of that country that its rivers were flowing with gold and that the very air was resplendent with the fine silk fabrics of India. Leaving aside this poetic effusion, I would submit that time has come when serious attention should be paid to the revival of this industry. Sir, the Hon'ble Minister in his opening speech referred to the fact that the production of silk can only be made profitable if it can be sold as seeds. I know that even if the cocoons are sold as seeds they will bring in a large profit. I would suggest that experiments be made in the production of cocoons in the two districts I have mentioned, Jessore and Malda, where silk production is not yet known. I would suggest to the Hon'ble Minister to start an inquiry as regards the method of introducing as to how the production of silk can be taught to the cultivators so that not only cocoons but valuable silk can also be produced in the course of a few years. As I have said, this will bring about an improvement in the economic condition of the province. It will give the cultivators a very valuable commodity for marketing when products like jute and other things have failed. In such cases silk will stand in good stead and will be able to help the poor cultivators to tide over difficult times.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I would rather had not spoken on this motion but because my hon'ble friend has introduced the name of my district as one of the districts in which silk industry should be introduced, I feel constrained to speak a word or two. I am afraid my hon'ble friend does not appreciate the full extent of the present position of sericulture in Bengal. As a member of the Banking Inquiry Committee, I had occasion to investigate certain aspects of the problem in the districts of Birbhum, Murshidabad and Malda; and later on as a member of the Retrenchment Committee, I went fully into the question of model sericultural farm which is not possible to-day. It is impossible to revive silk industry by means of big farms as my friend has suggested. It is a question of manual labour against machine. This is responsible for the decay of this industry. There is no doubt that so far as my district of Nadia is concerned, it was at one time—at least a part of the district of Kumarkhali was famous for its silk industry in the East India Company's

days and it used to send out silk not only to the other parts of the country but also abroad. In Plassey there are still remains of silk factory to this day. Some time back an attempt was made to revive the industry as a cottage industry in my part of the district, but it failed. It could not stand against the modern competition. The cost of production in handlooms and the wages of labourers were prohibitive, and I am fully of opinion that to revive this industry by means of model farm is an impossibility. Sir, I am entirely in sympathy with the hon'ble mover when he says that steps should be taken to revive the silk industry. But so far as the starting of sericultural farms are concerned, I am decidedly of opinion that it would not be possible to revive the industry through them. The Retrenchment Committee went into this question very thoroughly, and they also considered the possibility of abolishing the department altogether but did not feel justified in recommending it, though at the same time they considered that the present expenditure on these departments could not be justified. Finally, they recommended that the farm at Peasbari should be continued as it was the only farm which was doing really useful work. I might point out to my hon'ble friend that out of a total expenditure of Rs. 1,50,000 over this department there is only a return of Rs. 27,000. I of course do not mean to say that steps should not be taken in another place than Peasbari to improve the industry, but this is not the time when we can afford to make expensive experiments. Undoubtedly in places like Plassey and Kumarkhali this industry can be profitably revived, but we must find out other ways of reviving it than by starting model sericultural farm which, as I have said, is not the way to prove successful in these days.

Reverend B. A. NAG: Sir, I think the Council will agree with me that Maulvi Syed Majid Baksh has led us under a deep debt of gratitude by his learned dissertation of mulberry plant yesterday and thus saved us from the trouble and expense of going on a visit to the sericultural school in the district of Malda. His cut motion is for introducing this valuable industry in the districts of Jessore and Malda and other suitable parts of Bengal. Sir, it strikes me whether he knew fully the number of sericultural students in Bengal and what the expenditure is, and what the income is, and what the loss is, in connection with this industry. When one is brought face to face with these facts and when one comes to realise that every year Government looses something in the neighbourhood of Rs. 70,000 for this sericultural work one can only wonder at what the department is doing, and it is doing its utmost in order to preserve sericulture in those places where they are likely to be successful. The Retrenchment Committee——

Maulvi SYED MAJID BAKSH: On a point of order, Sir. Does the hon'ble member know that they sell seeds and that sericulture is not a cottage industry?

Reverend B. A. NAC: The income and expenditure being so very different—Rs. 73,000 and Rs. 69,000—Government cannot but consider twice before they can undertake this expensive work. It is not by extensive work that sericulture will improve, but in these days of competition by intensive work, if they will give all their attention to the present situation and see that the silk produced has an open market in the midst of a very strong competition from the farther east, from Kashmir and even from some of the neighbouring provinces, that is the first point. And because there is not that market and because Bengal silk cannot be sold under the competition, it is going down. It seems to me, from the reports, that the department has been trying to introduce a reduction of cost in order to sell silk at a cheaper rate.

Maulvi SYED MAJID BAKSH: On a point of order, Sir. My object in moving my motion was to promote it as a cottage industry. He has absolutely misunderstood me.

Reverend B. A. NAC: I need not reply to that, Sir. Because what I understand is that cottage industry or provincial or village industry means the same thing, namely, the production of silk; and the problem in the production of silk is the improvement of silk-worms rather than the multiplication of silk strains. Then the miscroscopic examination of the live-stocks. Then the third point is the training of the sons of rearers in a sericulture school: fourthly, demonstration; fifthly, propaganda work in different places.

We heard of the mulberry plant yesterday but we have not heard that the bush mulberry which was hitherto used is much more expensive than tree mulberry and that Government is now making an attempt—a successful attempt—in introducing the tree mulberry in place of bush mulberry. The bush mulberry from the 6th year to the 15th year, in order to produce 2,400 maunds of leaves, costs Rs. 2,400; whereas mulberry tree costs Rs. 450 to produce 1,900 maunds of leaves, and Government is doing that. Look at it in any way you like, you cannot complain against what Government is doing in this matter.

With this view, Sir, I oppose the cut motion moved by my friend, Maulvi Syed Majid Baksh.

Rai Sahib AKSHOY KUMAR SEN: Mr. President, Sir, I have every sympathy for the revival of the silk industry in Bengal. I

think, so far as I am aware, Government are not unmindful as regards this matter. Long before this Council came into existence under the Reforms Act an Inquiry Committee was set up to look into the possibility of its revival, and so far as I remember the late Mr. N. K. Mukharji did a lot towards improving sericulture. Then a committee was appointed by the Government of Bengal to inquire into the matter, and I think that the late Maharaja Sir Manindra Chandra Nandi Bahadur, of Cossimbazar, was one of its members. The report of the Committee is available to the members of this House. Lord Carmichael, then Governor of Bengal, also showed much sympathy as regards the revival of this industry. I do not know whether the starting of sericultural farms in the districts of Nadia and Jessore would be successful, but so far as we know it is a fact that Government have already started a silk farm in Berhampore in the district of Murshidabad and also that it is doing much useful work. The object of Government should be to try to spend more money on this farm, because the work there requires more money for the upkeep and improvement of this institution: the object should not be to try to establish similar institutions elsewhere. Now, I think, that under the present circumstances we cannot say that Government are apathetic: on the contrary we can say that Government have been doing all that is possible under the present circumstances. I think that under the circumstances prevailing at present, so far as sericulture is concerned, any suggestion or any useful scheme which is calculated to improve or revive this industry will receive sympathetic consideration at the hands of the Hon'ble Minister. In view of all the circumstances we cannot blame Government for any neglect in the matter. With these few words I oppose the motion of Maulvi Syed Majid Baksh.

Mr. K. C. RAY CHOWDHURY: Mr. President, Sir, I do not want to prolong this debate by intervening at this late stage, though I must make it clear at the outset that I have every sympathy with the motion. Sir, the mover of the motion, our good friend Maulvi Syed Majid Baksh, has quoted extracts from the report of the Tariff Board, who went into the matter in order to see whether they could devise some means for improving the silk industry of India. The question resolved itself into one of not starting sericultural stations but improvement of the fillatures. It is rearing of the cocoons on co-operative system that will help the cottage industries. The silk industry in India does not depend upon industrialisation as my friend, Khan Bahadur Maulvi Azizul Haque, has said. I might tell the House that there are thousands of industries which are still in the cottage stage: for example, the watch industry in Switzerland is still a cottage industry and is still able to withstand successfully the onslaughts of factories and can keep out the best grades of watches, etc., from the market. Then if we examine the case of *biri* manufacture in this

country, we find that that it is purely a cottage industry and I do not think that any large-scale production by factories will ever be able to kill it.

To sum up, Sir, I should like very much that the Hon'ble Minister should make a definite effort so that this cottage industry may not meet with the fate which has overtaken many other similar industries.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, I have attentively followed the most interesting debate of my hon'ble friend, Maulvi Majid Baksh, on the subject of development of sericulture in the province. I am glad to find him taking such keen interest in the subject. Indeed, as pointed out by him, there was a time in the past when the Bengal silk was greatly in demand in the world market, and the industry was looked upon as a very lucrative business in Bengal. But various circumstances, on which I need not dilate, adversely affected the industry for many long years. The Department of Sericulture earnestly took up the work of reviving the industry rather recently, and has made good progress in increasing the production of silk. But before more progress could be made, the industry has been affected by a keen competition with foreign silk which has become acute now, and the general trade depression.

Sir, the activities of the Sericulture Department is now concentrated in the districts of Malda, Murshidabad, Rajshahi, Birbhum, Bankura and Bogra which are considered as silk-producing districts, and in these districts the people who are engaged in sericulture are now experiencing difficulty in selling their staff at a profit in competition with foreign silk, though the department has considerably reduced the cost of production. One of the main factors which is responsible for this state of things is that the Bengal silk, as at present reeled, is not of a fine quality. Attention of the department has, therefore, been concentrated on this problem, and efforts are now being made to introduce a better system of reeling. Till, as a result of these efforts, the Bengal silk is reeled so that it becomes attractive in the open market and finds a ready sale, I am sure my friend, Maulvi Majid Baksh, will agree with me that it would not be advisable to take any steps or to spend any amount in extending sericulture in this province beyond the districts where it is already established.

I hope, Sir, that, in view of this explanation, my friend will be prepared to withdraw his motion.

Maulvi Syed Majid Baksh's motion was then by leave of the House withdrawn.

Babu KHETTER MOHAN RAY: Mr. President, Sir, may I have your permission to move motion No. 596 along with motion No. 594 as both of them stand in my name, and make one speech?

Mr. PRESIDENT: Yes, you have my permission to do so.

Babu KHETTER MOHAN RAY: Sir, I beg to move that the demand of Rs. 1,45,330 under the head "34A—Agriculture—Pay of officers" be reduced by Re. 1 for regulating jute markets.

I also beg to move that the demand of Rs. 1,45,330 under the head "34A—Agriculture—Pay of officers" be reduced by Re. 1 for the purpose of restricting jute cultivation.

Sir, in spite of the fact that jute is a monopoly of Bengal the plight of the jute-growers is most miserable and they are selling jute at uneconomic and unremunerative prices. The real fact is that jute is a monopoly of Bengal because the bulk of jute is produced in this province. From this it does not follow that Bengal has economic monopoly of the crop in the sense that the growers of jute can effectively control the prices of jute as in the case of a monopoly product. It is evident that the jute-growers who are poor and illiterate cultivators are at present disorganised and have no means of exercising effective control over the determination of the price of jute which is practically their monopoly product and are at the tender mercies of the mill-owners and balers and other exporters of the commodity. Sir, a comparative study of the harvest prices and those of the finished products of jute for some years will clearly and forcibly bring these facts to the mind of any casual observer. Sir, in the year 1920-21 the harvest price of jute per ton was Rs. 164, whereas the average price of jute manufacture per ton was Rs. 641; in the year 1921-22 the harvest price of jute per ton—Rs. 164, whereas the average price of jute manufacture per ton—Rs. 641; in the year 1922-23 the harvest price of jute per ton—Rs. 273, whereas the average price of jute manufacture per ton—Rs. 602; in the year 1923-24 the harvest price of jute per ton—Rs. 264, whereas the average price of jute manufacture per ton—Rs. 569; in the year 1924-25 the harvest price of jute per ton—Rs. 328, whereas the average price of jute manufacture per ton—Rs. 640; in the year 1925-26 the harvest price of jute per ton—Rs. 513, whereas the average price of jute manufacture per ton—Rs. 726; in the year 1926-27 the harvest price of jute per ton—Rs. 225, whereas the average price of jute manufacture per ton—Rs. 618; in the year 1927-28 the harvest price of jute per ton—Rs. 225, whereas the average price of jute manufacture per ton—Rs. 606; in the year 1928-29 the harvest price of jute per ton—Rs. 246, whereas the average price of jute manufacture per ton—Rs. 627; in the year 1929-30 the harvest price of jute per ton—Rs. 218, whereas the average price of jute manufacture per ton—Rs. 543; in the year 1930-31 the harvest price of jute per ton—Rs. 97, whereas the average price of jute manufacture per ton—Rs. 414; in the year 1931-32 the harvest price of jute per ton—Rs. 89, whereas the average price of jute manufacture per ton—Rs. 333. The average price of jute

manufactures per ton was treble, sometimes four times and in some cases was double the harvest price of jute. It is also significant that the difference between the Calcutta price and harvest price per ton was on the average Rs. 50. The disproportion in the difference between the harvest price of jute and the price of the manufactured jute products, as I quoted above, not only strongly supports the claim of the jute-growers to obtain better and more reasonable price for the crop but also shows forcibly how helpless these cultivators are. The fabulous profits made in the past by the jute industry and the gradual impoverishment of the cultivators leave no doubt in the mind that the industry has grown abnormally fat at the expense of the cultivators. Now, Sir, this unnatural and unjust state of things should be remedied with the least possible delay, or else the prospect of the country seems to be very gloomy. The value of the exports of raw jute and jute manufactures is more than 25 *per cent.* of the total value of the Indian exports, and it accounts for more than 50 *per cent.* of the exports from Bengal. It is not an exaggeration to say that 90 *per cent.* of the people of Bengal directly and indirectly depend on jute more or less for their livelihood. Jute is the principal commercial crop of Bengal and plays an important part in her economic life. It is the bounden duty of the Government—and the Government has pledged to do it—to save the jute-growers from the impending ruin. This can only be done by inauguration of restriction on the jute cultivators. The reports of the Jute Committee are for some days before the Government and the public. There are two reports, Majority and Minority Reports. Here I may observe that the Majority Report is more or less a slip-shod affair. Arguments are not well arranged; there is absence of quantitative information to carry conviction. In short this report lacks methodical and scientific treatment. The Minority Report, on the other hand, is a well-reasoned, well-arranged and well-balanced document in which arguments are supported by a mass of facts and figures and statistics which cannot but impress any one who seriously studies the vital problem of Bengal.

Sir, whatever may be the differences between these two reports on other fundamental points, they are agreed that restriction is necessary to save the cultivators of jute from the present deplorable condition. They differ in the methods to be employed in achieving the desired results. The majority with a single exception have come to the conclusion that there is no overproduction as one year's surplus is consumed in the next year. So there is no justification for compulsory restriction by legislation. They recommend that better organised and more intensive propaganda should be carried on by the Collectors of the districts to assist the cultivators in deciding what area should be cultivated with jute so as to secure to them adequate return for their produce. The minority, on the other hand, consider that the systematic

depressed price of jute is due to over-production, so that control is necessary. To this purpose they recommend that a jute committee for Bengal with effective powers of control over the jute trade as a whole should be formed. I need not enter into the detailed examination of the reports of the Jute Committee which voice forth widely divergent views on essential points of inquiry.

Sir, even the majority, consisting as they did of most of the members representing interests adverse to those of the jute-growers were forced to admit that some sort of restriction is necessary in order to regulate supply to demand. The Minority Report advocates effective restriction though not by legislation at the initial stage. Dr. Sen Gupta is for introduction of compulsory restriction by legislation from the beginning. The Minority Report practically embodies the fundamental features of Dr. Sen Gupta's Jute Bill of 1931 with this difference that they do not advocate legislation in the beginning but recommend legislation when voluntary system fails. If the opinion of the illiterate and ignorant jute-growers counts for anything in the matter—and I think their opinion ought to prevail on this point—their opinion is that if the Government want to save them from this perilous plight, restriction should be applied without delay to the cultivation of jute. Go to any jute-growing parts of the province, and ask the cultivators about their opinion on the subject, you will be struck with the unanimity of their answers given supporting restriction by legislation. My hon'ble friend, Khan Bahadur Azizul Haque, has not made the slightest exaggeration when he says in his report, "I must make it clear that the *mufassal* opinion, as has come before us is almost unanimously and emphatically in favour of such restriction by legislation." Sir, I may here tell the House that I was born and brought up in a surrounding in which the jute-growers and jute have been prominent features. I have come in contact with the jute-growers in my daily life in various capacities. I can assure the House that the jute-growers in spite of their illiteracy and ignorance are a fairly intelligent class of people; they fully realise that they are scattered, disorganised and, if left to themselves, are incapable of taking any action for ameliorating their lot. They openly declare that unless the Government is pleased to come to their rescue by applying compulsory restriction on the production of jute, their doom is sealed. Now the question is how the production of jute is to be regulated—whether by sporadic appeals or propaganda as suggested by the Majority or by the methods advocated by the Minority Report, by establishing a jute committee with effective powers of control on production of jute and other matters relating to jute industry applying restrictions at first on voluntary system and if it fails, by legislation, or whether the Government should at once proceed to apply restriction by legislation? As regards the first method, I mean appeals or

propaganda, this can at once be discarded as ineffectual. The Government and private agencies tried this method and it signally failed to achieve the desired results. I would urge that if they feel hesitation in resorting to compulsory restriction by legislation at the beginning, the Government should at once take measures as recommended by the Minority by establishing a jute committee with effective power of control over the whole jute industry and by inaugurating voluntary system under the guidance and control of the said committee. I need not examine this scheme as it is thoroughly examined in the Minority Report. Now, I come to the question of the regulation of jute markets. This question is intimately connected with problem of restriction. Benefits, which will accrue to the jute-growers from the regulated markets cannot be too much exaggerated. The establishment of such markets minimises the danger of "cut-throat" competition. It will have the effect of bringing together a large number of cultivators to some specified places in the vicinity of their houses, where they will be brought in contact with a large number of buyers and can more satisfactorily negotiate and deal with them for sale of their crop than otherwise the case would be if they were to deal individually in villages. The Royal Commission on Agriculture laid much stress on the importance of the regulated markets, to the agriculturists and agreeably to their recommendations, regulated markets for cotton have been established in the Central Provinces and more recently in Bombay by legislation and are working satisfactorily to the decided advantage of the cotton-growers. "The basic idea of the regulated markets," observes the Majority Report, "is that the ordinary custom under which a middleman collects produce from the cultivator in his village exposes the cultivator to the danger of being cheated by the middleman from lack of knowledge or fraudulent weights or both, or from undue influence which the middleman may hold over him. If the cultivator goes to an ordinary local *hat* or market to sell his produce, the allowances which the owners of the market and the dealers extract is said to be too great a toll on the amount which the cultivator receives for his produce." The regulated markets are intended to abolish all undesirable customs and allowances and to keep the cultivator, who comes to the markets, well posted with regard to prices. The Majority and the Minority Reports quoted several opinions which unmistakably show that the regulated markets for cotton have proved a boon to the cotton-growers of the Central Provinces and Berar. Here I may mention that the custom of giving allowances such as excess, sample, *kabari*, *backet*, *dholka* is common in all dealings in jute. These features of dealings in jute are elaborately dealt in the reports of the Jute Committee. Another feature of the jute trade is that different weights and measures in different areas prevail. The customary allowances and the difference between the standard weights and local ones expose the cultivator to the danger of being cheated by the

dealers. If the regulated markets are established, this will have the effect of doing away with the pernicious custom and difference of weights to the benefit of the jute-growers.

Both the Majority and the Minority Reports agree that allowances should be abolished and standard weights should be uniformly brought into use. They further agree that the regulated markets should be established in the beginning on experimental basis at selected areas. The Minority recommend that such markets should be established by legislation, whereas the opinion of the Majority is divided on legislation, four being against and three for legislation. Thus the majority of the members of the Committee, except the four, are for establishment of markets by legislation on the lines of the Central Provinces Cotton Market Act of 1931. Establishment of these markets will bring the cultivators as close as possible to the actual consumer, which will have stabilising influence on the jute trade. The cultivators will have the advantage of getting prices for their produce which prevail in the market.

Here I must urge that a provincial jute committee should be established not as an advisory board, as recommended by the Majority, but with effective powers of control over the trade as a whole as recommended by the Minority. With regard to the constitution and finance of the jute committee I substantially agree with the recommendations of the Minority which are reported on pages 149-56 of their report. It is not possible for me to deal with them within the compass of cut motions. The Majority is divided whether the proposed jute committee should be central or provincial. As regards the constitution, the Majority is not unanimous. I am of opinion that the future markets for jute should be retained. While the Majority is divided whether or not future markets are necessary, the Minority report that there is real need for a future market and gives necessary details for establishment and regulation of such a market. Sir, no doubt in establishing and regulating jute markets and a provincial jute committee as recommended by the Minority, the Government may be confronted with difficulties; but I think these difficulties are by no means insurmountable. The Government of Bengal in their resolution on the reports of the jute committee said that its decision would be delayed because of the lack of unanimity among the members. I may observe that it was evident from the beginning that no unanimity would be reached, for it is too much to expect that the representatives of the conflicting interests would agree in fundamentals. This must be known to the Government as well; and it seems strange that the Government after appointing such a committee should itself declare that its decision would be delayed because of the lack of unanimity amongst the members of the committee. It is very significant that the officials and the Europeans have combined in signing the so-called

Majority Report and all the Indian non-officials who represent the principal commercial and agricultural interests have signed the Minority Report. Even amongst the Majority a divergence of views on many vital points is disclosed, the Indian officials ranging on one side and the representatives of the jute interests on the other. Everybody foresaw that there would not be any agreed report. If the Government want to save the jute-growers and those dependent upon them from the perilous condition, they must act promptly and without delay. Already sowing of jute has commenced and we do not know what is in store for the country in the next season and unless the cultivation of jute is restricted, the plight of the people will be worse. Considering the various factors mere restriction will not have the effect of improving the condition of the jute-growers. Some immediate and drastic measure is necessary to save the situation. Sir, the present position of jute gives cause for grave anxieties over the prospect of jute trade in the ensuing season. The statistics so far published show that stocks are being accumulated to an alarming extent and necessity for curtailment of jute crop requires no elaborate arguments for its justification. What I desire to impress upon Government is that with accumulated stocks mere restriction of the jute cultivation in the present circumstances would be of no material help to the cultivators to get a fair price for their crop. The stock position of the mills both here and abroad is such that the mill-owner may adopt the policy of "wait and see" and refrain from purchasing jute for some time till this stock is exhausted. But in the meantime our poor jute-growers will not be able to hold out for any length of time. The situation is very critical and abnormal. In order to meet the situation, the Government should fix a legal minimum price below which no jute should be brought or sold. The *laissez faire*, the policy of drift will imperil the situation of the country which is intensively acute in all conscience. In suggesting the legal minimum price on the analogy of the price proposed for sugarcane under the budget proposals of the Government of India, I am not oblivious of the complications which may arise for want of standard grade specifications of jute, but these complications are capable of easy and speedy solution owing to certain characteristics of jute trade, which strongly support the case of fixing a minimum price by law. The disparity between the harvest price and the average price of jute products cannot be justified on any grounds. From the perusal of the figures which I have quoted from the Minority Report leaves no doubt in mind that the movements of prices are not identical; average price of the jute manufactures was sometimes the double, sometimes three times and sometimes four times the average harvest price. Recently, that is, during the depression it was generally four times the harvest price. This shows that there is something rotten in the State of Denmark. This can only be remedied by fixing a minimum price. It may be argued that if a legal minimum

price is fixed, it will affect the jute mills in this country. I think fixing of a minimum price instead of injuring the Calcutta mills will do substantial good to them. During the last few years the local mills have been purchasing jute at abnormally low prices and have been making considerable profits by restricting their output. In the meantime the foreign manufacturers have not been sitting idle. The foreign mills taking advantage of the present position of the local jute market have been purchasing jute at an exceedingly low price and have been able to undersell the Calcutta mills in foreign markets and succeeded in capturing a large portion of foreign business of the local mills. Thus it is evident that the fortunes of the jute trade and industry are connected with each other and one cannot thrive at the expense of the other. No doubt the situation which has arisen owing to competition of the foreign mills is one of grave anxiety for the local mills. It is time that the local mills should revise their outlook and join hands with the jute-growers to improve the lot of the latter. It is true that owing to the depression the mills have earned bumper profits at the expense of the jute-growers. But this unnatural state of thing cannot last for ever without recoiling upon those who helped to bring about this situation. I appeal to Government to come to an immediate decision about the jute problem which is confronting us. Being driven to despair by extreme depression and groaning under a heavy load of debts the cultivators have become restless and have been developing a temper which is not at all conducive to the safety of the society. Already communistic and other ideas—subversive of law and order—are slowly and sedulously finding their way amongst the ignorant, illiterate and poverty-stricken cultivators; one need not be surprised if the Government is faced with a movement which may prove more dangerous than any other movements in recent years. The Government must take courage in both hands and tackle this problem promptly and without delay. If the minimum price of sugar can be fixed by legislation, why should not the price of jute be so fixed? In conclusion, I appeal to you, Hon'ble Minister in charge of the Department of Agriculture and Industries, you have already got to your credit the State Aid to Industries Act and the scheme for the development of small industries, for which the country is grateful to you, I appeal to you to tackle the question of jute in right earnest and take the whole Government with you and endeavour to solve the problem to the benefit of the jute-growers and others connected with the jute trade and industry. I hope you will spare neither time nor labour until the question is solved and adequate measures taken. If you succeed in this, your name will go down to posterity as a benefactor of the country.

Mr. J. W. R. STEVEN: I have listened with great interest to the speech of the previous speaker and I do not propose to take up the

time of the House as regards restriction on the jute crop, because I find that from the ordinary commonsense point of view his arguments do not carry much. With regard to allowances, this is a matter which is being taken up after many years have passed, and if Government decided that allowances should be eliminated, I do not think anybody would object. With regard to the question of regulated markets, in the Minority Report it is stated that these should be established to avoid or reduce the element of "cut throat" competition. It is this element of intense competition which enables the *raiyat* to get a full price for his jute. In actual practice the *raiyat* gets from day to day more for his jute than the equivalent price in Calcutta after allowing for freight, interest, insurance and labour charges. I can assure the House there is no bigger fallacy than to state, the *raiyat* does not get a full market price for his jute. I defy any member of this House to go to any part of Bengal and buy jute from a *raiyat* and, after allowing for charges I have mentioned, sell at a profit unless the seller is prepared to take a view of a market. If as stated in the Minority Report the *raiyat* suffers in the selling of his jute, can it be explained why dealers in raw jute, be he a *furia* or *bepari* or jute baler, has not made money? I know of hundreds and I could almost say thousands of *beparis* who have been working with various baling firms for periods which vary from 25 to 40 years and who even to-day are just eking out a bare existence and who for this have in the majority of instances to take a view of a market to enable them to buy jute from the cultivators in the interior. If it could only be realised by those in favour of regulated markets that it is the law of supply and demand which regulates prices, there would be less heard on this subject. If as the Minority Report suggests the Government institute regulated markets in certain districts, I am just afraid buyers may, when they see supplies coming forward, wait a few days until such time as these markets get top heavy and sellers anxious to sell and then be in a position to offer lower rates than the *furias* and *beparis* are paying in the interior *hats*. This would only require to happen once or twice and the whole system of regulated markets would fall to the ground and *raiyats* would fight shy of having any dealings with these markets. If it could be pointed out that *furias*, *beparis* or for that matter jute-baling concerns make undue profits, then I could agree with those who hold the view of establishing regulated markets. This, however, is far from being the case, and I would urge on Government to go very carefully into the question before committing themselves to any form of regulated markets in the interior. It must be borne in mind that many baling firms, both Indian and European, have tried out many systems of buying during the 50 or 60 years they have been in existence and if they were workable and the middleman could have been done away with, this would have been done many years ago. Surely it is most unfair on the *raiyat* and the trade

generally for Government to act on a report made by gentlemen who have no previous knowledge of these questions until one year or 18 months ago when they have to hand many Bengali and European gentlemen with anything from 20 to 50 years' inside knowledge of the trade who are one and all against any interference suggested by the Minority Report. It is the experience of the trade generally that the *raiyat* gets a full market rate for his jute and that it would be unwise for Government to launch out in any large scheme of this nature. I would endorse the views of Messrs. Burn and Finlayson in the Majority Report which reads as follows and ask Government to act on this advice:—

"Messrs. Burn and Finlayson do not subscribe to the latter recommendation because, from their knowledge of the jute districts and the system of marketing now in vogue, they consider that if cultivators will not, of their own free will, operate in markets of the nature indicated, then it would be unwise to force upon them by legislation a system which they are not prepared to support."

On these grounds I oppose the motion.

Maulvi TAMIZUDDIN KHAN: I congratulate my honourable friend, Babu Khetter Mohan Ray, on his raising this very important question. Now, Sir, the whole question is: Has the Government decided what it should do? We know, Sir, very recently a resolution was published in which the Government said that they regretted that the report of the jute committee was not unanimous and therefore it was difficult to take any action on the part of Government. It is no use brooding over the misbehaviour of one's own offspring and I do not know how long the Government would be bewailing the unsatisfactory report produced by the committee. It is very important that Government should take action within a short time. The two main questions raised by Babu Khetter Mohan Ray are about a regulated jute market and the restriction of the production of jute. As regards the establishment of a regulated jute market, I think there is almost a unanimity in the report of the Jute Committee and I do not know on what grounds my friend who has just spoken can oppose such an innocent proposal. Such markets are to be found in respect of the cotton crop in the Berars and in Bombay and we do not know that any evil result has followed the establishment of such markets there. On the other hand, as far as evidence shows, it is clear that the cotton-growers there have benefited very largely by the establishment of these markets. So this is one thing, Sir, on which Government can take immediate action. Secondly, as regards the question of restriction of production of jute it cannot be denied that it is a very difficult question and before entering into the question of restriction by legislation, I would like to touch upon one other thing, about

which also an almost unanimous opinion has been expressed by the Jute Enquiry Committee—I mean, the establishment of a Jute Committee. So far as the establishment of this Jute Committee is concerned, opinions vary as to whether it should be a Central or a Provincial Committee. But here also, if the report of the Jute Committee is gone into carefully, it will be seen that the majority of the Committee are in favour of a Provincial Committee. The Majority Report has been signed by six members, of whom two are in favour of a Provincial Committee and all the rest of the members of the Committee are also in favour of a Provincial Jute Committee. That shows that most of the members are in favour of a Provincial Committee. Besides, in view of the fact that Bengal is a province which is principally interested in this question, there is no reason why there should not be a Provincial Committee in Bengal. Of course the Centre is also interested, but it is interested only in so far as the jute export duty is concerned; that, too, we are expecting, will be made over to Bengal in full in the near future. That is, Sir, all the more reason why the Committee that is proposed to be established should be a Provincial Committee and not a Central Committee. Even if a Central Committee is considered necessary, that might be established in addition to a Provincial Committee. That is a matter which should be examined more carefully if necessary. But what is more important and necessary is that a Provincial Jute Committee should be esfablished within a very short time. So far as the representation of the various interests on the Provincial Jute Committee is concerned, I would like to mention that the report of the Jute Enquiry Committee is on the whole very disappointing. It is of course a matter of gratification to see that in the dissenting note of Khan Bahadur Azizul Haque he has advocated the cause of the jute-growers to a great extent and I appreciate the spirit which guided him in making his recommendations. Government claims that it takes into consideration the interests of every one concerned with this jute question. Now, who are the most important persons so far as this question is concerned? Surely no one can deny that it is the growers of jute who are most vitally interested and if these growers are benefited Government will be benefiting by one stroke three-fourths of the population of Bengal and the one-fourth that remains will also be benefited indirectly. If the jute-growers are benefited, *zemindars*, money-lenders, traders, lawyers, everybody will be benefited; in short, all classes of people will be benefited. Therefore, it is the bounden duty of the Government to see that the interests of jute-growers are taken into consideration more than anything else in the establishment of the Jute Committee. By-the-bye, I might say that it was a mistake on the part of the Government in constituting the Jute Inquiry Committee whose report we are now considering in the way that it did. There the interests of the

traders and manufacturers dominated, and the interests of jute-growers were not taken into account to the degree that justice demanded, and the result has been obvious. Government wanted to make the lion and the goat eat together. The result is that the lion has taken his own share and the goat has been thrown into the lurch. The same mistake should not be committed in constituting the Jute Committee. A Provincial Committee should be forthwith established and adequate weight should be given to the demand that the jute-growers should be effectively represented on such Committee. Then along with this there is another very important question, namely, whether legislation should be gone into for the purpose of restricting the production of jute. That is a complicated question and there also I agree with my friend, Khan Bahadur Azizul Haque, that action has to be taken now or to-morrow by way of legislation in order to restrict the production of jute. Of course, it is a very complicated question and, if any legislation is resorted to, it may bring in its trail some misery in certain directions. But we have to look to the benefit of the greatest number. But if Government are earnest about their professions there is no reason why they should not forthwith try the block system, which has been recommended in the Minority Report. Experiment should be carried on intensively for a year or two for restricting jute production by propaganda as recommended in the Minority Report and if that fails there will be no other alternative left than to resort to legislation. With these words I support the motion under discussion.

Rai Sahib AKSHOY KUMAR SEN: I would say just a very few words on the matter. We know that in 1933 there was a Jute Committee appointed by Government but, unfortunately, the opinion of that Committee was divided and three separate reports were submitted. There was the Majority Report, there was the Minority Report and there was a separate Report by Khan Bahadur Azizul Haque. Even the majority was divided in its opinion. But so far as we know, on certain points there was unanimity of opinion. These points are: the appointment of a Bengal Committee to protect the interests of the jute-growers, (2) restriction of jute cultivation, either by voluntary method or by legislation and (3) by the introduction of legislation for enforcing the adoption of a standard weight. I think, Sir, there should be a minimum price of jute fixed by legislation. Another suggestion that I beg to make is that, as the Government of India is introducing legislation by which the price of sugar is to be fixed, so the Government of Bengal also should do so in the case of jute. Formerly raw jute was selling at Rs. 5 and hessian at Rs. 10: now raw jute is selling at Rs. 2-8 but hessian at Rs. 10-8. We see this anomaly going on for a very long time. If the price of raw jute is

fixed by legislation, as has been done by the Government of India in the case of sugar, I think that will go a very great way towards benefiting the jute-growers as Mr. Tamizuddin Khan says and will also protect the interests of the other people in Bengal.

Maulvi ABDUS SAMAD: I have paid attention to the learned and thoughtful speeches of the hon'ble the mover and of Maulvi Tamizuddin Khan and I am convinced that they have made out a very strong case in favour of the points raised in their speeches. Now, it does not require much intelligence at all to understand that if the present economic depression continues for a few years more and if the price of food crops does not rise and the price of jute continues to go down as low as it is going down now, then the fate of the Bengal *raiyats* will be sealed. They will be reduced to such poverty that it is likely that they will die of starvation unless some steps are taken by the Government to improve the present situation. The principal points raised by the previous speakers are that there should be restriction of production and there should be a fixity of minimum price of jute. At least on this point there is a majority of favourable opinion in the Jute Committee's Report. The majority have recommended that a minimum price of jute should be fixed, so that a fair margin of profit should be left to the growers. Under the existing circumstances the price does not meet the cost of production, so it is only natural and just that Government should take some steps at least, if they cannot take any other steps, to fix a minimum price of jute. Now the previous speakers have asked: why cannot Government take such steps? In the case of the sugar we know that a minimum price has been fixed; so why cannot the same thing be done in respect of jute? Now, Sir, it has been suggested, and there is much force in that suggestion, that Government has fixed a minimum price in the case of sugarcane because the sugar mill-owners are mostly Indians, whereas, in the case of jute, the mill-owners are mostly Europeans. Now, Sir, this invidious distinction should not be tolerated any more and it is the bounden duty of the Minister as well as the Government to consider all these facts and at least immediately to fix the minimum price of jute. With these words, Sir, I support the motion.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

The two motions of Babu Khetter Mohan Ray were then by leave of the House withdrawn.

The main demand under the head "34—Agriculture" was then put and agred to.

DEMAND FOR GRANT.

35—Industries.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,38,000 be granted for expenditure under the head "35—Industries."

The budget provides for the Electrical Adviser and his staff and Cinchona Plantations which are reserved subjects as well as for Industries proper which alone is transferred and for which I am responsible. I have no remarks to offer on the reserved portion of the budget.

In regard to the transferred budget, the Council will find explanations of the chief variations in the financial statement and I shall deal only with the main points. For reasons well known to the House, this budget like almost all other budgets has been prepared under very depressing conditions to which reference has already been made by the Hon'ble the Finance Member in his budget speech. It has accordingly been found necessary to economise expenditure as much as possible under the exceptional circumstances.

Turning to retrenchment, I must at the outset confess that in spite of our best endeavour to accept as many of the recommendations of the Retrenchment Committee as possible, it was patent that if all the recommendations were accepted, it would not only have crippled the activities of this nation-building department but would also have reduced its usefulness. It has, however, been possible so far to retrench the ultimate expenditure of the department to the extent of Rs. 57,000 in round figures. Among the notable retrenchments effected, mention may be made of the abolition of the post of Assistant Inspector of Weaving Schools and of the curtailment of the grant-in-aid allotment by Rs. 14,364 annually as a measure of economy. In pursuance of the Committee's recommendation, the mining classes in the Bengal coal-fields have also been abolished from 1st April, 1933, mainly on the grounds that the expenditure hitherto incurred was quite disproportionate to the number of students who received training and that owing to the discontinuance of the grants by the mining industry the entire expenditure on these classes was being borne by Government —a position that could hardly be accepted as satisfactory. I can, however, assure the House that in spite of the limitations imposed on departmental expenditure the activities of the department in its different branches have been receiving and will continue to receive due attention within the available resources.

I would avail myself of this opportunity of drawing the attention of the Council to the unemployment relief scheme to which reference

was made in my last budget speech and which is looming large in the public eye. As the House is aware, the scheme was formulated and given effect to with the object of directing the attention of our unemployed young men to the possibilities of industrial career, contemplated in the scheme. As the success of the scheme largely depends on the guidance and support of the local officers of Government and active public co-operation, District Advisory Associations, consisting of representatives of District Boards, local Government officers and public-spirited gentlemen in the district have also been formed in certain districts of each division. The reports received show that the training imparted by the demonstration parties employed under the scheme has been very popular and the results produced have been distinctly encouraging. I may mention in this connection that when the scheme was started doubts were expressed in some quarters as to the readiness of our educated young men to take to industrial avocations the pursuit of which they had hitherto considered to be beneath their dignity and while in the beginning they exhibited some difference in enlisting themselves for the industrial training offered by the scheme their shyness has been gradually wearing off and educated young men including graduates are coming forward in large numbers to receive such training. Since the operation of the scheme, 404 young men have received practical training in the different industries and out of this number 165 have given tangible evidence of having actually found definite employment in the industries in which they have been trained. It is also gratifying to observe that a number of enlightened guardians of the young men trained by the demonstration parties have provided funds for their wards to start factories and some of them have already started factories of their own. This is indeed a clear evidence if evidence is required at all of their appreciation of the training imparted and confidence in the commercial and economic possibilities of the industries in which the young men of Bengal are being trained up. Bearing in mind the initial difficulties that had to be surmounted and having also regard to the fact that a good deal of time was taken in making the preliminary preparations, the results so far achieved under the scheme during the short period of its existence are assuring and one may confidently look forward to more tangible results in the coming year from the operation of the scheme, provision for which has been made in the budget. As shown in financial statement, provision has also been made for the appointment of two expert designers and the entertainment of a temporary establishment for demonstration in glazed pottery with the object of further extending the scope and usefulness of the scheme.

Turning to the Bengal State Aid to Industries Act, I need hardly dilate on the difficulties which have hitherto stood in the way of making adequate provision under the Act. As the House is aware, however,

notwithstanding the present financial situation, a provision of rupees one lakh has been made in the Loans Budget for grant of loans to industries during the next year, and it has also been decided to undertake the liability involved in the guarantee of cash credits with a bank up to Rs. 50,000 to which the assent of the Council has already been obtained. It is hoped that with the provision now made, together with the fund accumulating under the Bengal State Aid to Industries Act Fund, the assets of which now stand at Rs. 54,000, it will now be possible to render financial assistance to the small industrialists who need such assistance so badly and thereby to give the desired impetus to the development of small and cottage industries of the province.

With these words, Sir, I commend my motion to the acceptance of the House.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I beg to move that the demand of Rs. 2,02,000 under the head "35A—Industries (Transferred)—Industrial development" be reduced by Rs. 100 to raise a discussion on the inadequacy of the grant.

Sir, I have heard with rapt attention to the interesting and illuminating speech of the Hon'ble Minister while presenting the budget estimate of the Industries Department. He has very lucidly brought to our notice the activities of the department with the limited funds placed at its disposal. We congratulate him on his sincere endeavour in finding out ways and means to solve the unemployment problem of Bengal which is the crying need of the hour. If at the fag end of the session of the Council, when many of the members are eager to go Home, I rise to move the motion which stands against my name, I do so from a sense of duty. For, Sir, I think we would be failing in our duty if we do not enter our emphatic protest against the inadequacy of the grant that has been made for the Department of Industries which is doing splendid work though handicapped for funds. The importance of the work done by this department is known to all of us and the department has attracted our attention and enthralled our admiration. Indeed, I have often wondered how it has been possible for the department with its attenuated funds to do such useful work. It is suffering from want of men and money so much so that it had to go bowl in hand to the public to collect funds to give effect to the provisions of that belated enactment—the State Aid to Industries Act. But for the generosity of the Minister in charge of the department and his sole lieutenant, Mr. S. C. Mitter, the Industrial Engineer who has the energy of a steam engine, this fund would not have attracted the sympathy and support of outsiders who have come forward to make contributions to it.

Sir, the greatest achievement of the department so far is that in connection with the Middle Class Unemployment Relief Scheme. The

name, Sir, is a misnomer, for it will not only relieve unemployment among our middle classes, but promises to bring about an industrial regeneration of Bengal by revitalising the dying industries of the province with new methods, improved machinery and cheaper materials. To give only one instance, it has by carefully conducted experiment extending over years discovered a new alloy, which is sure to benefit the lakhs of workers in bell-metal in Bengal from ruin and rescue the industry, once so famous, from the competition of aluminium wares, which afford special opportunities of mass production. Then again, it has earned the undying gratitude of the people of the province by introducing an improved potter's wheel which minimises labour like the fly-shuttle loom. And it has recently been successful in producing a new kiln which, I am sure, will revolutionise the pottery industry.

Thanks to the endeavours of this department, we can hope in the near future to be independent of other countries for our supply of surgical instruments and appliances.

By sending out demonstration parties in *mufassal* centres, the department has solved the problem of imparting training, bringing it to the doors of our young men, which has baffled the endeavours of generations of our workers in attaining success.

Sir, Bengal can feel pardonably proud that already Directors of Industries from other provinces and some Indian States have come to Bengal to study the working of the scheme and do likewise in their provinces and states.

Such, Sir, are the activities of the department which is neglected by Government, which is starved while the pampered pet, the Police Department, feeds fat on the revenues of the province. While the Police Department is an unproductive department, the Department of Industries is productive.

Sir, I want that adequate money should be found for it. Of late, thanks to the interest taken in it by His Excellency the Governor of Bengal, the Government have decided to launch on rural reconstruction work. We are glad they have after all warmed to their task. But are they aware what important part the Department of Industries must play if the work is to be successful? Without prosperous cottage industries in the villages, as we had in our glorious past, how can you bring the people back to them? How can you make the villages once more busy hives of human life and labour unless people can earn there?

Sir, though much is being done by the Industries Department to ameliorate the economic condition of the people of Bengal, much still remains to be done. And that cannot be done without sufficient funds which I want should be placed at the disposal of the department. Money must be found if a great effort is really to be made to solve the

poverty problem of the province. Bengal cries aloud for industries other than the universal but insecure industry of agriculture which depends on the caprice of the clouds, for in most parts of Bengal, thanks to the inefficiency of the Irrigation Department, agriculture is a gamble in rain. The one department which has listened to that cry and seems to be determined to do its work, is the Department of Industries. And it would be a shame, a sin and a crime, not to provide necessary funds for it. With these words, Sir, I move the motion which stands in my name.

Rai Sahib AKSHOY KUMAR SEN: I beg to move that the demand of Rs. 11,38,000 under the head "35—Industries" be reduced by Rs. 100.

So far as we can understand the speech of the Hon'ble Minister regarding the activities of the Industries Department, we consider that the work already done deserves special commendation of the Hon'ble Minister in charge of this department. I fully agree with the Hon'ble Minister in regard to all that he has said. But I cannot but regret that funds placed at the disposal of this department are so inadequate. These are the nation-building departments and considering the great unemployment among the youth of Bengal and the service which is being rendered to them by this department by training them to earn an honest livelihood, I consider that the funds should be far greater than they are. I cannot but say that I have every confidence in the work of the department which is trying its best to organise cottage industries in Bengal, and we are watching with interest the development of the schemes undertaken by the Hon'ble Minister. I also agree with Rai Mahasai when he says that ample funds should be placed at the disposal of this department for this purpose. But, Sir, I think that by moving a cut motion like this we will not be able to achieve our object. We appeal to the Hon'ble Minister to try his best to get more money for this department, and we will be grateful if he would show us the way how to assist and support him. We are ready to co-operate with him fully in this matter of improving the dead industry of Bengal. It is well known that this Council has sanctioned the guarantee by Government of the cash credit arrangement between the department and the people, and I am sure it has not escaped our notice that loan has been provided for in the budget for the work of that department, and I think we should proceed on these lines. It was the late Sir William Wilson Hunter, who once said "To get an inch from the Secretariat, one must shout and show cause for an ell." So if the department wants the proverbial inch it must show cause for the ell, and there is not the least doubt that we shall be able to show cause for that ell. If the department has made a modest and modern progress, it is well it has done so. Better a cautious advance than a

hasty march. Accumulated experience is of special value, but it has to be earned by hard labour. The Council will agree with Rai Mahasai that this department should not suffer for want of adequate funds; this is also my motion. But the House will agree that moving a cut motion is not the most effective way of securing more money, so I do not press my motion, but I appeal to the Hon'ble Minister that considering the interest which this House takes in the development of industries of Bengal, although he has been doing much for the improvement of the cottage industries, still we expect more from him.

Mr. J. N. GUPTA: I beg to move that the demand of Rs. 11,38,000 under the head "35—Industries" be reduced by Re. 1.

I have great pleasure in heartily supporting the observations which fell from Rai Mahasai, congratulating the Hon'ble Minister and officers of the department for the very helpful beginning made in reviving cottage industries throughout Bengal. Having regard to the vast field of useful work that there is in that field, we must all agree that the resources at the disposal of this department are lamentably inadequate; and, therefore, we have every reason to support the motion that this department should receive far greater funds from Government than it has been found possible to place at its disposal up till now. Bengal of all the provinces of India, the indegenous people of Bengal, are most lamentably backward in industrial enterprise and the time surely has come when Bengal must not only try and catch up with the other provinces, but rather lead the way. I have very often said that the fall in revenue of the province and the general decadence in the economic condition of the people all clearly point that something is radically wrong and that practical well-thought-out measures are necessary to revive the flow of money and there is no greater need for urgent and immediate work than in the sphere of reviving the industrial enterprise of the people. With this is intimately connected the solution of the present problem of unemployment of young men in Bengal, and I am most pleased to learn from the speech of the Hon'ble Minister that young men have come forward and there is not that ground for complaining that young men have not sufficient energy and desire to take to industrial avocations as were generally believed. I feel certain that with more opportunities and greater encouragement it will be quite possible to show to the young men that the days that the so-called gentlemen professions of law and medicine are the only avocations in life for educated young men are past, and that the time will come when they must take to industrial occupation if they want to live. I do not wish to bring in any communal outlook in the discussion of a matter like this, but I think it is the Hindu youths who must realise more than anybody else that the doors of all sorts of Government employment may be more difficult of access

in the future than they have been in the past. Therefore, it is still more necessary that they should rally round the standard of industrialism and take to industrial occupation. There is nothing to prevent them from earning all the money they can by following an honest industrial enterprise, and that surely is a much nobler occupation than running after all kinds of jobs and meet with disappointment. The question to be considered is if the department is to get more money, where is the money to come from. Knowing the financial condition of the province and remembering the reply which the Hon'ble Minister for Local Self-Government gave yesterday, namely, the feebleness about the prospect of getting a favourable and encouraging response from the Government of India, if an attempt is made to get a loan from the Government of India, it might be said that raising a loan is not a feasible proposition at the present stage of the economic condition of the country. I am not prepared to accept that as a final answer. The purpose for which we want a loan, namely, for agricultural improvement and industrial development are all remunerative objects. We do not want loan for unremunerative objects such as the jails or the police, but remunerative objects for saving the country from annihilation. That being so, the question of loan should be pressed by this Government and a hopeful reply may be and should be received from the Government of India. In any case the Finance Member should be in a position to state that an attempt was made, but they have not succeeded, and until that is done, we on this side will not be satisfied that the Government is discharging its duties properly and doing everything they can to save Bengal from the poor position in which it is placed. With these words I strongly support the motion of Munindra Deb Rai Mahasai that the Department of Industries should be placed in a far better position with regard to funds than at present.

Rai Sahib SARAT CHANDRA BAL: Sir, I want to speak on motion No. 641. Our popular Minister in charge of the department has by contributing a handsome amount given a start to the State Aid to Industries Act and I take pride in announcing that our Engineer, Mr. S. C. Mitra, has inspired the growing industries with new life and enthusiasm. Sir, I have seen how pottery, soap and other articles are manufactured and I was astonished to find that to manufacture all these big and costly machines are not required. Mr. Mitra has invented some very easy methods by which anyone in any part of the country can earn his living with a small capital after few months' training in some branch of the industries. I have seen young men getting training there and I also have had the opportunity of hearing some of them who stated that they were earning Rs. 100 or even more per month. Sir, taking into consideration the work that is done by

the department and before we support the motion, the following points deserve our careful consideration:—

(1) Does our financial position justify in allotting to the work of the department more money than they required for the present? In other words, need we be overgenerous?

(2) Does the department want more money—not in the distant or near future—but just now to carry on its work? Let the Minister in charge of the department enlighten the House on the point.

(3) Will the work of the department suffer a setback if more money is not provided for it at once, or will it be able to carry on its work usefully and efficiently with the money allotted to it?

This House is fully aware of the admirable work that the department has been doing and can only hope that work will be continued in the interest of the province. This House has not been slow to sanction funds for the work of the department. And I am sure nothing is farther from our minds than the determination that nothing beyond what has been provided for the department in the budget before us need or should be provided for it. Far from it. The work that the department is engaged in does not involve sterile expenditure like some of the work of some other departments of Government. It is highly productive. It augments the wealth of the people, develops the resources of the province and converts potentialities into practice. Such a department of Government should not suffer from want of necessary funds.

But the question is: Does it require more funds just now? We admire the department for proceeding cautiously and not indulging in extravagance and luxury like some other department, and we think it has cleverly cut its coat according to the cloth at its disposal. If that is so and I am assured that it is so, why move this motion in the House which is ever ready to be reasonable? Why not wait till the department comes up to us for more funds?

I am glad, Sir, the paucity of funds has not chilled the enthusiasm of the heads of the department. Realising the financial position of the Government but confident of the success of their schemes they have—some of them—suffered financial sacrifice to advance the work of the department and come up to sanction a loan arrangement. Such men will not only work wonders but will also refrain from extravagance. We can be sure of that. Under these circumstances and considering everything, I think the best course for this Council to adopt would be to agree to the arrangement about allotment that has been arrived at between the department and the Finance Member who represents the financial conscience of a financially weak Government.

I hope the Hon'ble Finance Member, who is unfortunately absent now, will give the House the assurance that if and when the department will come to this House for more money to develop, extend or inaugurate their schemes he will not stand in the way of this House in granting more money to it. We are determined to see that the department does not suffer from lack of funds. And there is no need for our drawing the attention of the Government to it by a cut motion.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, as to the question of inadequacy of funds, although generally speaking the object of the entire grant in the transferred budget is to secure industrial development of the province either directly or indirectly, the grant for industrial development proper is shown under the head "Industrial development" of the budget. If the hon'ble members will compare the figures under this head in the departmental budgets which are Rs. 89,716 in 1928-29, Rs. 91,949 in 1929-30, Rs. 1,04,056 in 1930-31, Rs. 85,360 in 1931-32, Rs. 84,391 in 1932-33, Rs. 1,89,000 in 1933-34, Rs. 2,02,000 in 1934-35, they will see that notwithstanding the present acute financial situation which has necessitated drastic curtailment of expenditure in all directions, the next year's grant registers some increase over the revised and a substantial increase over the grants in the preceding years.

A provision of Rs. 1 lakh has been made in the Loans budget for grant of loans to industries under the Bengal State Aid to Industries Act which has not been accounted for in the Industries (Transferred) budget. Besides, donations and contributions from some public-spirited gentlemen accumulating under the Bengal State Aid to Industries Act Fund the assets of which now stand at Rs. 54,000 will also be made available for the same purpose. Further, Government have undertaken liability involved in the guarantee of cash credit with banks to the extent of Rs. 50,000 for giving aid under the Act for which no specific budget provision is necessary. It will appear from the annual reports of the Industries Department that the main plank of the department is the provision of adequate facilities for technical and industrial education including weaving and tanning education by the maintenance of Government technical schools including weaving institutions and the Bengal Tanning Institute and by the stimulation of such education by means of grants-in-aid, the object of which is to foster the development of small and cottage industries of the province. A great forward step has recently been taken in this direction by the launching of the unemployment relief scheme which provides for an intensive training in the more important cottage industries of the province through the agency of the 28 additional demonstration parties established under the scheme.

Sir, in my speech in introducing the demand under this head, I have already indicated the satisfactory results which have so far been obtained from the operation of this scheme for which a provision of over a lakh of rupees has been made in the next year's budget.

In the circumstances explained, Sir, I maintain that there is no real reason to grumble on the ground of inadequacy of funds.

Before I conclude, Sir, I should like to express, on behalf of myself as representing the Industries Department of Government, our gratitude to my friends for their very kind words which they have said in appreciation of such work which has been the lot of the Industries Department including myself to play towards the solution of the problem of unemployment and in connection with the development of industries in this province.

I hope my friends will withdraw their motions.

Munindra Deb Rai Mahasai's motion was then, by leave of the House, withdrawn.

Rai Sahib Akshoy Kumar Sen's motion was then put and lost.

Mr. J. N. Gupta's motion was then put and lost.

Maulvi ABUL QUASEM: I beg to move that the demand of Rs. 7,20,000 under the head "35A—Industries (Transferred)" be reduced by Rs. 100 (to raise a discussion about the policy and pursuits of the department).

Sir, I have no desire to detain the House long. I would just wish to say that the policy adopted by the department as far as it goes is commendable. My only complaint is that it does not go far enough. The money that Government spend in order to revive the dead and dying industries is totally inadequate for the purpose. In these days of competition and mass production many of the cottage industries have been killed and Government should pursue a bolder policy and should spend more money in order to revive the industries which are in a moribund condition. In my district of Khulna up till now no Advisory Committee of Industries has been set up and the Department of Industries appears to be paying little attention to the needs of the district. A band of peripatetic teachers of industries is going round and visiting many districts, but I do not know when they are likely to visit my district. I would request the Hon'ble Minister to see that the good effects of his policy are extended to and enjoyed by my district. With these words I commend my motion.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 11,38,000 under the head "35—Industries" be reduced by Rs. 1 (general policy).

I do not know, Sir, whether I shall sing hallelujahs to the Hon'ble Minister now or reserve them for a time yet to come. I think he has yet to justify the demands that have been made upon his department and the demands that we are going to make to-night. He has by now started some demonstration parties which move from place to place, training young men in various arts, namely, in shoe-making, bell-metal making, umbrella-making, soap-making and so forth, but we do not know whether by pursuing this training the candidates have been able to make a decent income or whether it will be at all possible for them to earn a decent income. Up till now there has been no purchasing bureau established, so I think that if after the training obtained in these institutions, the candidates do not find any market, the grant that is made to his department will be a sheer waste of money. Up till now, Sir, there has been no attempt in that direction. Besides, shoe-making and weaving is not a thing to which the *bhadralog* class will generally take to; they have got social aversion to it. I find that one of the most important branches of training has not been taken into the course, and that is tailoring. Tailoring is a subject to which young men of the *bhadralog* class should be glad to take to. But that is a branch which has been neglected. That side of the question has not apparently found approbation from the Hon'ble Minister. After all the Hon'ble Minister has made an honest attempt, an honest attempt in this direction and is investigating various ways of reviving the national industries of the province. He is making various experiments and trying in every way, but if his experiments fail he cannot be held responsible but he must have our thanks for his efforts. We only ask the Hon'ble Minister to bear in mind that the money that is being made available for his department should be used in a way that real benefit may accrue to the boys of the *bhadralog* class, and he should particularly remember the fact that the boys of the *bhadralog* class will gladly take to tailoring in preference to any other art that he has already started. So I hope the Hon'ble Minister must take into his head that he should provide for training in tailoring in addition to those that he has already arranged. With these words I move my motion.

Mr. NARENDRA KUMAR BASU: I would like to speak on this motion and also move my amendment No. 636.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I beg to submit, Sir, his motion deals with a different matter.

Mr. PRESIDENT: If Mr. Basu is not particularly keen on speaking on this motion he had better not do so now.

Mr. NARENDRA KUMAR BASU: All right, Sir.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, it is natural that there should be a demand for an intensified industrial policy, such as expansion of the demonstration parties for the relief of middle class unemployment, the setting up of marketing agencies for the marketing of the products of cottage industries, the establishment of pioneer factories and the Serampore Weaving Institute, the addition of further technical schools, etc. Unfortunately, however, any such intensive forward policy would require a very large addition to the funds provided in the budget for the Department of Industries which funds could only come out of increased revenue, or be provided at the expense of the many other departments and activities of Government. With the limited financial resources available to the province, the department have done their best to meet all the many claims, and the fact that the funds given to the Department of Industries have been increased even though the increase is small, shows that the Government is aware of the immense potentialities of the department in assisting in the realisation of the economic necessities of the province and is doing its best to take advantage of them.

In view, Sir, of what I have stated, I hope that the House will appreciate that the Industries Department have been doing their best according to the resources at their disposal, and that the rate of any further progress in any direction, however desirable, must be conditioned by the staff and money available to the department or, in other words, the capacity of the province to bear the increased cost involved.

I hope, Sir, that after hearing me my friends will be prepared to withdraw their motions; otherwise, Government must oppose them.

The motions of Maulvi Abul Quasem and of Kazi Emdadul Hoque were then by leave of the House withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 7,20,000 under the head "35A—Industries (Transferred)" be reduced by Rs. 100 (apathy of the Government for working the State Aid to Industries Act).

Sir, it will be in the recollection of the House that it was so long ago as July, 1931, that the State Aid to Industries Bill was passed by this House amidst, if I may say so, a fanfare of congratulations and self-congratulatory speeches by us members, and that in thanking the House for passing the Bill the Hon'ble Minister said: "I trust that by the passing of this legislation a great public demand has been met and we have taken a forward step towards the improvement of industries in this province." From this remark made by the Hon'ble Minister it will be seen that it was acknowledged that there was a public demand for a legislation of this kind. In fact the State Aid to Industries Bill was eagerly awaited by the country, but what has been the fate of this piece of legislation, to which this House committed itself three years

ago? As I have said, the Bill was passed in July, 1931, but it was not till 16 months later, that is, in October, 1932, that the Board was formed. It does of course take some time to conduct elections under the provisions of the Act, but I put it to the House whether it was consonant with that eagerness, with which the country welcomed the Act, and wanted to operate it, that 16 months should have been taken in forming the Board. The Board was formed in October, 1932.

Mr. PRESIDENT: I might inform Mr. Basu that the guillotine shall fall at 6 o'clock.

Mr. NARENDRA KUMAR BASU: All right, Sir, I won't take more than five minutes. The first meeting of the Board was held in November, 1932, and in the second meeting in the same month the Board framed certain rules and submitted them to Government: that was on the 18th November, 1932. The Government in its wisdom could not accept the rules as framed by the Board, but amended some of them in very important and vital matters and published those rules in the *Calcutta Gazette* in July, 1933, that is to say, two years after the Act had been passed by this Council. As soon as the Board met after the amended rules had been forwarded to them, they found out that instead of aiding and fostering industries the new rules would rather contribute to putting as much obstruction in the way of applicants for State aid as possible. Thereupon the Board considered these rules, found them unworkable and forwarded their revised rules to the Government. The rules have not yet been accepted or published, so that from July, 1931, though the Legislative Council thinks that it has conferred a great boon upon the people of this province by passing the State Aid to Industries Act, by the—shall I say—machinations—no, Sir—by the apathy, and probably the woodenness of the Government, that Act is not functioning yet. I may also say that the account rules of the Board too have not yet been framed either. I submit that if the Government were at all anxious to see that the State Aid to Industries Act should function and function for the good of the province, they would have been certainly more expeditious in framing rules and allowing the Board to function. The Hon'ble Minister has even to-day stated that by the provision of a lakh of rupees by way of loan and of Rs. 50,000 as cash credit, it will now be possible to give an impetus to cottage industries. Sir, I am not quarrelling with the intentions of the Hon'ble Minister; I am not quarrelling with what he intends in the innermost recesses of his heart. In fact, by his own donations he has shown that he can back his intentions by action; but, Sir, I am afraid, either he is too weak or he is too powerless not only against Mr. Woodhead, but against the rest of the Cabinet, and what has happened is this: that in spite of his best intentions and his expressions of good intentions, towards the country, I am afraid he has played into the

hands of the more valiant Members of the Cabinet and he has allowed himself to be—but I will not use that word, for that may be unparliamentary—allowed the Act to remain in a state of hibernation. I submit that the working of the Act from which so much was expected not only by this Legislative Council and the public, but also by the Hon'ble Minister himself, I submit that the way in which Government have bungled their job, shows that they do not want the Act to function. When they found that the popular feeling of the country was unanimous on the point and they found that though the Act had been passed by the Legislative Council the Department has been trying to see that the Act did not really function, and if it did function at all, not under the present constitution.

Mr. L. R. FAWCUS: Mr. President, Sir, I rise to say a few words to counter the annual or perhaps six-monthly attack of Mr. Narendra Kumar Basu against the State Aid to Industries Act. He knows very well and the House knows too the conditions under which this Act has to be worked, but there was nothing in his speech which revealed this fact. The House will remember that this Act was brought in in 1931 as a tentative measure. It was brought in against financial advice: it was brought in against the experience of other provinces; and there is only available a small fund of Rs. 1,54,000 for the functioning of the Board. (MR. N. K. BASU: The Board does not work at all.) Out of this Rs. 1,54,000 a sum of Rs. 54,000 represents private donations, and Government as trustees of that fund have to see that the money is spent in as careful a manner as possible.

Now, Sir, there are two rules suggested by the Board to which Mr. N. K. Basu presumably refers: one of those rules is that the Board should have the power to sanction expenditure without reference to Government. (MR. N. K. BASU: I did not say that: what I did say was that the Board should have the power to reject without reference to Government.) I shall deal with this point presently. The other rule to which Mr. Basu refers is a suggested rule that we should give every member of the Board a fee—I think it is Rs. 32—every time he attends a meeting of the Board. With regard to the first point, Sir, we must surely be very very careful in scrutinising the expenditure of the Board's funds and we cannot reasonably refuse the Board the power to sanction expenditure without reference to Government and yet allow it to reject any proprosal without Government's consent.

With regard to the other question I would remind the House that the allowance paid to members of the Board involves two points: one relates to travelling and halting allowances while the other relates to the fee to be paid to each member of the Board for attending meetings. With regard to travelling allowance, it was at first laid down by Government that those members who came from the *mufassal* should be

paid the ordinary second class travelling allowance and the usual corresponding halting allowance, but as representations of hardship were made, it was decided that anyone who travelled first class should be allowed to draw a sum equivalent to one first class fare.

The other point relates to the allowance of Rs. 32: in this case the Board asked Government to reconsider the decision to disallow such fees. It must however be remembered that there are men in Calcutta, of a calibre equal to that of the members of the Board, who do give their time for public service free of all cost. I think the Trustees of the Indian Museum and the Council of the Asiatic Society of Bengal are cases in point. Such men as Sir Rajendra Nath Mukharji, Sir David Ezra and Mr. Narendra Nath Law do not grudge to give their time in the interests of science without asking for a fee. (A VOICE: Mr. Basu is not so rich.) Should not then the members of the Board of Industries fairly be asked to do as much in the interests of the industrialists whose cause they have so much at heart. Unless Mr. Basu is prepared to do as much, it is not fair for him to accuse Government of being apathetic: he should realise that we are doing our best to implement this Act under very difficult conditions, on behalf of those whom it is intended to benefit.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am afraid that a word or two is needed to correct the misapprehension which exists in the mind of Mr. Fawcus. Mr. Fawcus has accused, indirectly though, the members of the Board of trying to mulct Government. I very much regret that the point which has not been referred to by Mr. N. K. Basu, namely, the question of travelling allowance, has been brought forward by Mr. Fawcus in order to throw a slur on the members of the Board. The Board itself knows very well either to accept or reject the rules. It is very sad to think that Mr. Fawcus should have made the allegation on the floor of this House that the members of the Board—at least some of them—want to travel in a class higher than they are generally accustomed to do. Sir, I am afraid that Mr. Fawcus has thoroughly misunderstood the position. (MR. N. K. BASU: It is also a want of good taste and shows bad manners.) Mr. Fawcus is aware—or if he is not aware, he should know that there are members of the Board who have not been born either with silver or golden spoons in the mouth. What about the members of the British Parliament in which there are members who have entered that Mother of Parliaments through dint of their own merit? You will find in the same legislature members who come from the classes known as the intelligentsia: many come from the middle classes also who earn their livelihood by the sweat of their brow. Sir, I may be told in reply that those days are past. It may be that the social structure of England has changed considerably of late, but that is beside the point. How can you expect people in this country, which is so poor, to give their time, energy and

service to public work unless you assure them of a minimum standard of amenities. (A VOICE: What about Secretaries travelling second while drawing first class fares?) I should have been extremely glad if a discussion of this nature could have been avoided on the floor of this House and I very much regret it, because of the attitude which Mr. Fawcus has taken up. I am sorry to inform the House that this sort of attitude on the part of Government will only lead to resignations from the Board.

Mr. Narendra Kumar Basu's motion being put a division was taken with the following result:—

AYES.

Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Ghose, Dr. Amulya Ratan.
Moque, Kazi Emdadul.
Hossain, Maulvi Mohammad.
Quasem, Maulvi Abul.
Roy, Mr. Shanti Shekhareswar.
Rout, Babu Nocni.
Ray, Babu Jitendra Nath.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emdaddin.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barman, Babu Promhori.
Barma, Rai Sahib Panchanan.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Nazzar Rahman.
Chaudhuri, Dr. Jogendra Chandra.
Cohen, Mr. D. J.
Dutt, Mr. G. S.
Edgley, Mr. H. G. A.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ghuznavi the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildnar.
Gilchrist, Mr. R. N.
Gladding, Mr. D.
Guha, Mr. P. N.
Gupta, Rai Bahadur Mahendra Nath.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.
Khan, Mr. Razaur Rahman.
Martin, Mr. D. M.
Mitter, Mr. S. C.
Mallick, Mr. Mukunda Behary.
Nag, Reverend G. A.
Rag, Babu Sak Lal.
Razimuddin, the Hon'ble Mr. Khwaja.
Rahman, Mr. A. F.
Rai Mahasai, Manindra Deb.
Roy, Babu Nagendra Narayan.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Babu Haribansa.
Roy, Mr. Satiswar Singh.
Sarker, Rai Bahadur Rohini Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sen, Mr. S. R.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deG.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 11 and "Noes" 42, the motion was lost.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir, I would like a note taken of the fact that I was a member of this Board, and that being the matter under discussion, I did not vote.

Mr. PRESIDENT: I do not think that it has ever been done before.

Khan Bahadur Maulvi AZIZUL HAQUE: I wish to draw your attention to the fact that I myself am an elected member of this House and of the Board——

Mr. PRESIDENT: But can you cite any precedent in support of your request?

Khan Bahadur Maulvi AZIZUL HAQUE: In these special circumstances it is left to the discretion of the President. There is no definite rule, but it is open to the President to permit a note to be taken.

Mr. PRESIDENT: I do not think we have ever done that.

Khan Bahadur Maulvi AZIZUL HAQUE: A convention might be created, Sir.

Mr. PRESIDENT: What is the advantage?

Khan Bahadur Maulvi AZIZUL HAQUE: It is not because I took any part in the debate and yet when voting came it would be necessary for me to vote, but I did not vote. It is very important, as I am one of the elected members of this House and as it appears that some reflection appears to have been made on this Board to which we objected, but I refrained from taking any part in the voting.

Rai Bahadur Dr. HARIDHAN DUTT: I also am one of the members, but I did not take any part in the voting. Might I not follow the Khan Bahadur and state why I did not vote?

Mr. PRESIDENT: Are you also a member of the Board?

Rai Bahadur Dr. HARIDHAN DUTT: No, I am not.

Mr. PRESIDENT: Anyway, what you have said will as a matter of course be recorded in the proceedings.

Mr. SHANTI SHEKHARESWAR RAY: What does the Khan Bahadur mean with regard to his attitude? Was he in favour or does he oppose?

Khan Bahadur Maulvi AZIZUL HAQUE: That ought to be sufficient to all intelligence.

Mr. PRESIDENT: I leave it to you to infer that.

The main demand under the head "35—Industries" was then put and agreed to.

DEMAND FOR GRANT.

37—Miscellaneous Departments.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,17,000 be granted for expenditure under the head "37—Miscellaneous departments."

The motion was put and agreed to.

41 and 60—Civil Works.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 82,82,000 be granted for expenditure during 1934-35 under the head "41—Civil Works" and "60—Civil Works not charged to Revenue."

It will appear from the budget estimates for 1933-34 that the estimated expenditure for voted items inclusive of establishment charges was Rs. 71,47,000, while the revised for that year has been reduced to Rs. 71,27,500. The amount, namely, Rs. 82,82,000 which the Council is now asked to vote, shows an increase of Rs. 11,54,500 compared with the revised estimate which is due to following extra provisions under "41—Civil Works"—

(1) Rs. 3,74,000 for Road Development Fund works;

(2) Rs. 6,14,600 for repairs which includes Rs. 1,56,000 for earthquake damage repairs and Rs. 25,000 for occupiers' share of municipal taxes which have devolved upon Government under the Bengal Municipal Act, 1932;

(3) Rs. 1,71,900 under "Grant-in-aid";

(4) Rs. 1,15,700 for "Original works—Buildings"; and

(5) Rs. 6,300 under other head.

Total, Rs. 12,82,500 counterbalanced by a reduced provision of Rs. 1,28,000 under "60 Civil Works."

Under the head "Original Works—Civil Buildings," it is proposed to spend Rs. 17,500 on works for reserved subjects and Rs. 4,47,900 on works for transferred subjects. The items of works are specified in the "Civil Works" budgets circulated to the members of the Council.

The amounts provided for reserve for minor works under the various departments are intended for works costing small amounts in connection

with buildings occupied by the various departments. These works are generally within the power of sanction of the respective heads of departments.

"For "Communications," no provision has been made under reserved while Rs. 3,85,446 which includes Rs. 3,64,800 for Road Development Fund works to be carried out by the Public Works Department have been provided under transferred. The items of works have been detailed in the budgets.

Under the head "Repairs," Rs. 4,22,000 is provided for reserved departments and Rs. 35,64,000 for transferred departments as compared respectively with the revised estimate of Rs. 2,97,800 and Rs. 30,73,600. The apparent decrease in the revised estimate is due to the fact that a sum of Rs. 3,30,000 had to be surrendered out of the voted grants under "Repairs" on account of financial stringency. As urgent repairs to buildings and roads cannot be safely postponed any longer, an increased provision as compared with the current year's revised estimate has to be made in the next year's budget in addition to Rs. 25,000 for occupiers' share of municipal taxes and Rs. 1,56,000 for earthquake damage repairs.

The grant required on account of "Establishment" is Rs. 12,36,400 as compared with the budget and revised estimates of Rs. 13,04,250 and Rs. 12,28,300 respectively for 1933-34. It will be seen that both the revised estimate and the demand have undergone considerable reduction which is due to retrenchment, and in fact, the reduction would have been greater but for our anticipations of recovering less establishment charges from the Central Government than previously accounted for. The small increase in demand over the revised estimate is partly due to this falling of recoveries and partly to a reduced demand on account of the Public Works Department establishment in connection with the High Commissioner's budget.

For "Tools and plant," Rs. 2,000 and Rs. 54,500 have been provided under the head "Reserved and Transferred" respectively against Rs. 2,000 and Rs. 50,500 in the revised estimate.

Suspense—a sum of Rs. 7,000 has been provided under Suspense (Transferred) against Rs. 5,100 in the revised estimate.

Under "Grant-in-aid" a provision of Rs. 21,16,900 inclusive of Rs. 8,73,000 for road development works to be carried out by the district boards, has been made against the revised estimate of Rs. 15,37,000 for the current year, which includes Rs. 4,65,000 for Road Development Fund works. The increase is due to increased provision made for distribution out of the proceeds of the Motor Vehicles Tax.

It will not be out of place, Sir, to give here a short narrative of the steps taken by this department in the way of retrenchment both as a result of the Retrenchment Committee's recommendations and also of our own initiative. As early as in August, 1931, we started our investigations which, I am glad to say, were attended with good results; we could altogether abolish two divisions, eight subdivisions and four sections before we had the report of the Retrenchment Committee before us. The cumulative effect of these abolitions is a recurring annual saving of Rs. 80,500 added to which there is a special saving of Rs. 17,400 by the curtailment of temporary staff in 1932-33. These activities of the department attracted good comments from the Retrenchment Committee whose recommendations were then given the best consideration. The decisions so far taken by Government on them involve an approximate saving of Rs. 81,000 per annum. I need not here attempt to go into the details of these decisions as a statement of them has already been circulated to the members—the result on the whole, the actual cost of establishment in 1930-31.

Moreover, during 1932-33 and 1933-34, economies of Rs. 1,52,000 and Rs. 4,00,000 have been effected under "Repairs—Voted and Non-voted" by curtailing expenditure under that head.

I now move that a sum of Rs. 82,82,000 be granted for expenditure under the head "41—Civil Works" and "60—Civil Works not charged to Revenue."

MOTIONS FOR REDUCTION OR REFUSAL.

Babu SUK LAL NAG: I beg to move that the demand of Rs. 12,38,000 under the head "41A—Civil works Communications - Road Development Fund—Works" be reduced by Rs. 100 (to call attention of Government about the policy of distribution of money of the Road Development Board and to criticise the selection of members to the Provincial Road Development Board).

Sir, the distribution of funds for taking up works has, to my mind, hitherto been made inequitable. The district of Khulna has been clamouring for a long time for the construction of two important roads, namely, Satkhira to Navaron and Perojpur to Bagerhat. But the department turned a deaf ear to its wailings. The District Board of Khulna, in its address to His Excellency the Governor, when he kindly visited there two years ago, made a special mention about the urgency of the construction of the aforesaid two roads, and in reply to that His Excellency sympathised with our demands towards that end. I hope that the Board will accede to our requests for taking early steps in providing funds for such construction. I beg to suggest that if the scheme followed by the Board for making very wide roads, be a little changed in making less wide, but still useful roads, as are generally made by

District Boards then with the allotment made for a single road by the Board some three or four roads may be easily constructed with such allotment.

Next, I beg to draw special attention to the fact of recruiting members to the Provincial Road Development Board. As most of the districts are left unrepresented, I suggest that one member should be taken from each district as its representative. In that case, every district shall have the right of an opportunity to discuss the needs and necessities of their own districts.

With these words, Sir, I commend my motion for the acceptance of the House.

(The Council was here adjourned for 15 minutes.)

(After adjournment.)

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 12,38,000 under the head "41—Civil works—Communications—Road Development Fund—Works" be reduced by Re. 1 (to discuss the working of the Road Development Fund schemes).

Sir, the object of my moving this motion is not to pass a censure on the department, but to know the circumstances in which it has not been able to spend the whole of the Road Development Fund. I know the schemes of the department are to be carried out partly by the Public Works Department and partly by the district boards. But I feel that there should have been expedition in spending this fund. If this money were kept in surplus year after year, it would be difficult for any department to spend it in one year. After all the tax-payer who pays the money expects the quickest return for his money. I feel that the district boards, the Public Works Department, the Irrigation Department, the Sanitation Department and various other departments are concerned in the working of these schemes, and probably inter-reference to all these departments would take time. What I suggest is whether it would not be desirable, before any scheme of road development is sanctioned, for the Public Works Department to convene a conference of the departmental heads including the District Engineer or a representative of the district board. In any case it would be interesting to know the circumstances under which this large amount was not spent. I think it is impossible to settle up the matter unless a conference is convened. I want to know the policy that the Hon'ble Minister wants to follow in carrying out the road development projects.

Maulvi ABUL QUASEM: I beg to move that the demand of Rs. 3,85,000 under the head "41A—Civil works—Communications" be reduced by Rs. 100 (policy and work of the Provincial Road Board).

Sir, my motion is intended to give an opportunity to the Hon'ble Minister in charge to place before the House the policy that is being

pursued by the Provincial Road Board and the work that has been attempted or achieved so far. The Provincial Road Board is one of the most important bodies in the whole province, and in its policy and work the people are closely interested. I speak subject to correction, but so far as my information goes I believe the Provincial Road Board has hitherto been pursuing a policy of only developing those roads which are of inter-provincial importance and are trunk roads. They have so far neglected smaller roads like those which connect a subdivision with the headquarters of a district. These roads have not been touched. I think the Provincial Road Board has now realised its mistake. These smaller roads are very often of the greatest possible importance to local areas. As my subdivision is vitally interested in this matter, I have been trying since I entered this Council to urge the importance of the Satkhira-Navaran Road. Satkhira is the biggest subdivision in the district of Khulna both in area and in population, but the House will be surprised to learn that it has no land route to get to the district headquarters. In order to come to the district headquarters one has to perform a tedious and unpleasant steamer journey of about 20 hours. If the Satkhira-Navaran Road could be made motorable, the whole journey could be performed in 4 hours instead of 20 hours as at present. This is a road of the greatest importance to the district of Khulna and Babu Suk Lal Nag has drawn attention to this. In the address presented to His Excellency the Governor by the District Board of Khulna in August, 1932, pointed attention was drawn to the need of improving this road. I do not know what decision the Road Board has arrived at as regards its inclusion in their programme. This road passes through two districts, namely, Khulna and Jessore, and according to the standard set up by the Road Board it may not be considered fit to be included in the programme of the Road Board, but I do desire to emphasise the fact that this is a road in which thousands are interested and it would not only be of the greatest convenience to the people but would also bring in much revenue to the Eastern Bengal Railway if it is improved. The attention of the Road Board should be drawn to this. After all, the money comes from the people and the people should be made to feel that their feelings are not neglected by Government. I would suggest that this road should forthwith have a place in the programme of the Provincial Road Board. As regards the constitution of the Board, I believe certain interests are represented on it, and a Chairman from a district board from each division is taken on to it every 3 years. I think the representation of the district boards is far too inadequate. The representation should be extended and if possible all districts at a time should be allowed to be represented on the Board. At any rate the claims to representation of those districts particularly in which there are important roads in an undeveloped state should have prior consideration. I would specially urge that the Chairman of the District Board of Khulna should be nominated to the Board at its next reconstitution.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. President, Sir, the two representatives of Khulna, Babu Suk Lal Nag and Maulvi Abul Quasem, have two specific grievances against the road development policy of Government. First of all, they think that all the district boards and especially the District Board of Khulna should have a representation on the Provincial Road Board. I may state the principle on which the Provincial Road Board has been constituted. We have four Chairmen of four district boards from the four divisions and there is one member of the Local Self-Government Standing Committee, besides representatives of public bodies like the Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Automobile Association, one representative of the Eastern Bengal and East Indian Railways and one representative of the Assam-Bengal and Bengal-Nagpur Railways. This is the constitution of the Provincial Road Board. Besides these there are 5 representatives of Government on it. If the suggestion of my hon'ble friends were accepted that every district board should have a representative on the committee, it would make the body absolutely unwieldy. There are 27 districts; that means that there will be 27 representatives on the Board besides the representatives of Government and the representatives of the bodies representing special interests which will mean a miniature legislative council and it will cease to be an advisory committee, but would be converted into a debating society. My friend, Khan Bahadur Azizul Haque, has complained about the slowness of working the road programme. I am afraid that if this suggestion of the representatives of Khulna is accepted, it would make the progress of schemes still more slow.

As regards the Satkhira-Navaran Road, I may state that we have been receiving for the last few months representations from the representatives of different places about the construction of roads in their own areas and all these representations will be considered when the next five years' programme of road development will be framed. Government have recently decided to appoint a Special Officer to make a complete survey of the road programme of the whole province, and this officer in consultation with the district officers, the district engineers and the district boards would prepare a programme with due regard to the economic development of the areas, the nature of the soil and the question of drainage which is more important in a province like this so that by construction of roads we may not make it more unhealthy. Whether traffic will develop on the roads we improve and similar other questions will also be taken into account. The Government of India have recently suggested that they might be agreeable in allowing the Local Government to capitalise a portion of the Petrol Fund in constructing roads as well as in maintaining roads improved out of the loans from the Petrol Fund. That would give us sufficient money to proceed with an ambitious road programme during the next few years, and with this object in view Government have just decided

to appoint a Special Officer to go into the question very thoroughly. It is very difficult for me to say how long it will take, but certainly it is not going to be delayed beyond what is absolutely necessary.

Maulvi ABUL QUASEM: Will one officer be sufficient, Sir?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes. One officer is more than sufficient, because he will be helped by the district officer and the district board. The district officer will be asked to prepare a programme of road development according to the importance of the roads in his jurisdiction and he will submit the schedule of roads in their order of importance. I may say also in this connection that Government have already decided to capitalise a portion of the motor vehicles tax to build some of the important bridges and the work is expected to begin within the next financial year.

Khan Bahadur Azizul Haque complained of the slowness of our programme. We have received about Rs. 60 lakhs from the Government of India out of the Petrol Fund and out of that nearly Rs. 30 lakhs is going to be expended within the present financial year. I hope my friend will realise the difficulty of coming to a decision in settling road alignments. There are various questions to be considered and solved before Government can finally make up their mind. Besides the difficulties about alignments there is the question of drainage which is of very great importance. The Irrigation Department, the local officers, the local bodies and the railways have to be consulted. I may also mention in this connection that in future development of roads Government will not confine its activities only to the important roads, I mean, only the trunk roads, but would also try to improve the feeder roads, which will improve the economic condition of the country; but they will at the same time try to avoid competition with the railways as far as practicable, because that is the policy which was discussed and almost unanimously recommended at the Railroad Conference that was held at Simla towards the beginning of the financial year. So I think this reply of mine covers almost all the points that have been raised in connection with the several cut motions, which my honourable friends have advanced, and will satisfy them that Government are not at all indifferent but on the contrary are very anxious to proceed with an ambitious road programme; and if things go on well, in a few years' time Bengal will be covered with many highways which will add to the prosperity of the nation. With these words I would request the movers to withdraw their motions.

The motion of Babu Suk Lal Nag (No. 659) was then by leave of the House withdrawn.

The motion of Khan Bahadur Maulvi Azizul Haque was then by leave of the House withdrawn.

The motion of Maulvi Abul Quasem was then by leave of the House withdrawn.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 82,49,000 under the head "41A—Civil works" be reduced by Rs. 100 (bad condition of Grand Trunk Road, Benares Road and public buildings, courts, etc.).

Sir, I have tabled this motion to draw the attention of the Government to the bad condition of the Grand Trunk Road. The condition of the Grand Trunk Road is very bad, and it is not given that attention which the importance of this road demands. Some time ago the Grand Trunk Road was in a very miserable state and after some movements in this Council the condition of the road was improved to a certain extent. But the condition is not yet satisfactory. Some portion of the road has been provided with footpaths and some portion left out. Sir, it is known to all that the Grand Trunk Road is almost the imperial road of Bengal and its importance is known to everybody in this province. Although a certain portion of it is tarmacadamised, still its major portion is left untarmacadamised, and therefore the traffic suffers too much for the bad condition of the road. The portion that was tarmacadamised two or three years ago is in a very bad condition now as very poor repairs are made. The attention paid to this important road ought to be much more than what it now receives.

Then, Sir, another important road, namely, the Benares Road, is also totally neglected by this department. There are so many ruts and holes there that it is very dangerous for vehicular traffic and pedestrians to pass. I do not understand why this important road which was some time ago the second in importance to the Grand Trunk Road should be neglected in this way. I hope the Benares Road will be improved within a measurable distance of time so that the people using this road may not feel inconvenience.

The Hon'ble Mr. J. A. WOODHEAD: May I inquire, Sir, where this Benares Road is?

Dr. AMULYA RATAN GHOSE: The Benares Road starts off from the Grand Trunk Road at the junction of Horoganj Road in Howrah. I am sorry that the Hon'ble Finance Member does not know where Benares Road is. The importance of the road as I have already said is next to Grand Trunk Road. Although it seems that the Hon'ble Members and Ministers have forgotten where the Benares Road is, I hope they will kindly take note henceforth that the Benares Road is also a road which requires attention and which should not be left in the cold shade of neglect.

I will now point out some of the defects that are seen in public buildings—I mean the Howrah Civil and Criminal Courts. Sir, in the Criminal Court there is a staircase leading to the Judges Court which is in such a broken condition and in such a dangerous condition that people using it are liable to the danger of falling and getting injured.

Mr. H. S. SUHRAWARDY: Are you sure that it is not due to earthquake?

Dr. AMULYA RATAN GHOSE: Sir, I may say that long before the earthquake the questioner himself felt the difficulty, and he had to take the assistance of some of the pleaders to relieve him.

Again, Sir, the Howrah Court precincts and the compound of the court are usually very bad—full of dust and other nuisance and dirt; no attention is ever paid to the condition of the court buildings. The Civil Court building is very dark and the library there is a dark, dingy room and is a breeding place of all sorts of diseases—tuberculosis and other such diseases. These are the conditions of the public buildings of Howrah and no attention is paid to their removal. Sir, it is in the interest more or less of the Government that I raise this question, and of course the public are interested in the improvement of these buildings. Sir, if these repairs are not effected now, Government will see that in the long run they will have to spend a huge sum of money as the condition of the buildings will be such that minor repairs will not be of any avail and the buildings will be useless for the purpose for which they are meant. On the other hand, if the repairs are made in time, Government will be saving a large sum of money in the long run. A stitch in time saves nine. I therefore commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: May I inquire, Sir, if the Howrah Municipality contribute anything towards the maintenance of the Grand Trunk Road?

Rai Bahadur JOGESH CHANDRA SEN: I want to say only a few words, and I think Dr. Ghose might as well have asked for an explanation from the Hon'ble Minister as to why the Library of the Howrah Police Court, etc., is not kept properly clean, etc. Really, Sir, if such things are to be discussed on the floor of the House, the proceedings will become really funny and farcical.

Maulvi ABUL QUASEM: I submit that nothing is too small and trivial for this House.

Mr. L. R. FAWCUS: Sir, I was surprised when I learnt from the tabling of this cut motion that the Grand Trunk Road is considered to be in a bad condition. As a result I had inquiries made as regards the condition of that road.

I have been informed by the Superintending Engineer in charge of the Circle concerned that though the road was damaged last year by excessive rain it has now been repaired and is in a tolerably good condition, though a portion between miles 28 and 36 is reported to be somewhat rough. I hope this information will satisfy Dr. Ghose.

As regards the buildings, Sir, that is really a matter for the administrative department. We do what we can with available funds but naturally we are very much handicapped by prevailing financial conditions. I hope therefore that Dr. Ghose will see his way to withdraw his motion.

Dr. Amulya Ratan Ghose's motion was then by leave of the House withdrawn.

The main demand under the head "41 and 60—Civil works" was then put and agreed to.

Adjournment.

The Council was then adjourned till 10-30 a.m. on Saturday, the 24th March, 1934, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 24th March, 1934, at 10-30 a.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 84 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Sub-Registrar of Muladi (Bakarganj).

*154. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware—

(*i*) that the sub-registrar of Muladi in the district of Bakarganj registered certain documents of transfer of occupancy-holding without receiving the prescribed landlords' transfer fee; and

(*ii*) that a complaint has been made to the Registrar to that effect?

(*b*) If the answer to (*a*) is in the affirmative—

(*i*) why was it so;

(*ii*) what steps have been taken to prevent a recurrence; and

(*iii*) what is to happen in the matter of the registration of those documents?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes.

(*b*) (*i*) As the documents did not expressly describe the tenancies as occupancy holdings but as raiyati jotes under jotes, the sub-registrar treated them as under-raiyati holdings.

(*ii*) The sub-registrar has been asked to charge landlords' transfer fees in such cases in future.

(*iii*) Registration has already been effected.

Text Book Committee.

*155. **Mr. NARENDRA KUMAR BASU:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the Text Book Committee has directed that in history books submitted for approval to the committee there must be no reference—

(*1*) to the murder of Jalaluddin Khiliji;

(*2*) to the pranks of Sultan Muhammad Tughlak;

(*3*) to the atrocities committed by Jehangir and Aurangzeb on the Sikhs and their gurus;

(*4*) to the anti-Hindu activities of Aurangzeb?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Text Book Committee has acted as such with the prior approval of the Government?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) The sub-committee of the Text Book Committee, which was appointed to deal with History text books for classes III to VIII, reported that practically all the books submitted stood in need of revision or correction. Certain members of this sub-committee were appointed to go through the approved books and to draw attention to those faults, which could easily be remedied, and their suggestions were placed before the authors and publishers.

The Central Text Book Committee approve text books for pupils from 8 to 13 years of age. The curriculum of history does not contemplate a critical and scientific study of the subject, but merely stories and outlines in easy narrative form. Gruesome accounts with unnecessary details are eminently unsuitable for such pupils and, in approving text books in history, the Central Text Book Committee have been guided by the following, among other, considerations, viz:—

(*1*) that there should not be anything that tends to offend moral feelings and sentiments;

(*2*) that it is not necessary to give detailed stories of atrocities, butchery or bloodshed, which, whether true or false, can only do harm to young minds;

(*3*) that the books should contain nothing likely to create feeling of race hatred or class and religious animosity in impressionable minds and that references to facts, which are not essential and which are unsuitable for children, or exaggerated statements should be avoided;

(*4*) that text books, while historically accurate, should be of a nature to promote mutual understanding of the peoples and should not be prejudicial to a spirit of amity and good-will;

(5) that the stories selected should be those likely to have a healthy moral influence on the minds of the pupils.

Examples of passages which have been omitted in accordance with these principles are contained in a statement which is placed on the table.

(*b*) The Text Book Committee does not submit recommendations to Government or obtain Government's approval to them.

Statement referred to in the reply to starred question No. 155 (a) (5).

(*a*) "That there was a blind man in Delhi who was dragged to Devgiri by means of a string tied to his legs, under orders of Muhammad Tughlak, that on the way his limbs having separated from his trunk remained, and at last only a leg reached Devgiri."

(*b*) "That the troops of Banda committed the utmost oppression on the Mussalmans, killed Mussalman women and boys and used to desecrate their mosques."

(*c*) "That Aurangzeb was a bigoted Mussalman, who believed that Islam alone was the true religion and all other religious faiths were false, that to safeguard the interests of Islam was the foremost duty of a Mussalman Emperor and that to destroy the religion of non-Mussalmans was an act of piety."

(*d*) "That Aurangzeb hated the Hindus, that he commanded the Subadars to demolish Hindu temples and stop the worship of the Hindus, that images of gods and goddesses were carried in bullock carts to the capital and were insulted and desecrated in various ways."

(*e*) "That Aurangzeb ordered that no employment should be given to Hindus."

(*f*) "That Sonamoni, the beautiful widowed daughter of Chand Roy, was treacherously taken to Esa Khan's palace by Srimanto Brahmin, to whom Chand Roy had entrusted the duty of escorting her to her father-in-law's house."

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state the names of the members of the sub-committee referred to in answer (*a*)?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not think it is desirable.

Mr. NARENDRA KUMAR BASU: Did I hear the Hon'ble Minister to say that it is not desirable to publish the names of the members?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Mr. NARENDRA KUMAR BASU: Are the names of the members of the Text Book Committee public or private?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: They are public, but in this case we do not propose that the names should be given.

Mr. NARENDRA KUMAR BASU: On what ground does the Hon'ble Minister think that it is not desirable to give these names?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The reports of the sub-committee are always treated as confidential by the Text Book Committee.

Mr. NARENDRA KUMAR BASU: Is not the Text Book Committee wholly independent of Government control?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Text Book Committee makes recommendations to the Director of Public Instruction who is the final authority.

Mr. NARENDRA KUMAR BASU: Is it a fact that the D. P. I - by which I suppose the Director of Public Instruction is meant disposes of the recommendations of the Central Text Book Committee under certain rules and not arbitrarily?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: He is the final authority on the matter.

Mr. NARENDRA KUMAR BASU: Is not authority of the Director of Public Instruction subject to revision by Government?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: All actions of the heads of departments are subject to revision by Government.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state under which classes [from (1) to (5) of the answer] the instances referred to in the question would come?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: In my opinion the instances referred to are covered by the five principles that have been laid down by the Text Book Committee.

Mr. SHANTI SHEKHARESWAR RAY: Are the Text Book Committed guided by these considerations so far as Hindu sentiments are concerned?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the hon'ble member to the examples already given in the answer in which he will find that both Hindu and Muhammadan stories have been omitted.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a fact that the sub-committee which is appointed by the Text Book Committee is a confidential body and their proceedings are never published?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Quite true.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a fact that the number of members which ordinarily constitutes a sub-committee is only three and is it not a fact that there is only one Muhammadan in it?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I cannot go into details about this matter.

Mr. NARENDRA KUMAR BASU: Is it not a fact that the only Muhammadan member in the sub-committee is Khan Bahadur Maulvi Azizul Haque?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I cannot go into it, it is confidential.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a fact that the International Intellectual Co-operation Society under the League of Nations has enunciated the principles that the history of text-books may be so written that the rising generation may grow up in the spirit of peace and good-will?

(No answer was given.)

Babu JITENDRALAL BANNERJEE: Does the sub-committee consist of History teachers and History experts?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The members are mostly teachers of History.

Babu JITENDRALAL BANNERJEE: Are there any experts in the committee; if so, how many?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I said teachers, and teachers are generally considered experts.

Babu JITENDRALAL BANNERJEE: So far as class VIII is concerned, are not the pupils in it considered to be in the immediate pre-matriculation stage?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Certainly.

Babu JITENDRALAL BANNERJEE: In view of that, would it not be proper that they should have a correct view of History and not the view represented by any committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As far as the essential facts of History are concerned, they are given a correct view. It is only as regards details as the hon'ble member will find in the examples given in the answer—that certain stories have been omitted. No essential facts are distorted.

Babu JITENDRALAL BANNERJEE: Are they the only examples?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: In any case not one of them goes beyond the principles laid down.

Babu JITENDRALAL BANNERJEE: So far as these principles are concerned, are they applied only to text-books on History or also on text-books on Morality and Ethics?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: They refer to text-books as they should be written for students of all classes III to VIII whether you take it from ethical or historical point of view.

Distress in Jessore.

*156. **Mr. K. C. RAY CHOWDHURY:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware—

(*i*) that famine has broken out within the jurisdiction of Chandibarpur, Singhia union board of Narail and in the Narail subdivision of the district of Jessore;

(*ii*) that the Subdivisional Officer of Narail and the members of the Narail Bar have constituted a committee to collect funds to help the sufferers of the locality;

(*iii*) that Sir P. C. Ray, Rai Bahadur Ishan Chandra Ghose (retired Government officer), Mrinal Kanti Basu, Editor, *Amrita Bazar Patrika*, the Mayor of Calcutta, and other distinguished public men have also formed a committee to collect funds and help the famine-stricken people of the Narail subdivision; and

(*iv*) that the famine-stricken people of Chandibarpur, Singhia, Naldi union boards within the Narail subdivision are experiencing difficulty in paying their union board taxes and rents due to the zamindars?

(*b*) If the reply to (*a*) (*iv*) is in the affirmative, will the Hon'ble Member be pleased to state what action have Government taken or do they intend to take in the matter?

(*c*) If no action has been, or is intended to be, taken, what are the reasons?

Mr. O. M. MARTIN: May I, with your permission, read the answer?

Mr. PRESIDENT: Yes, please.

Mr. O. M. MARTIN: (*a*) (*i*) No actual famine has appeared in these areas, but distress now prevails in parts of Narail, Magura and Sadar subdivisions of the district owing to partial failure of *aus* and *aman* crops due to excessive rains followed by high flood.

(*ii*) and (*iii*) Yes.

(*iv*) Some people in the affected areas are experiencing such difficulty.

(*b*) Government have sanctioned so far Rs. 56,500 for agricultural loans and Rs. 2,000 gratuitous relief. Besides this the Managers of Court of Wards have been asked not to file new certificates against tenants in distress in the affected areas and certificate officers have been asked not to execute warrants of attachment against really indigent persons in those areas. Tenants offering to pay up rents for one year at least have also been granted remission of interest.

(*c*) Does not arise.

Printing machines of the Bengal Government Press.

*157. **Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Member in charge of the Finance Department, with reference to the reply to the

starred question No. 13, dated the 9th of February, 1928, be pleased to state whether the five printing machines and three type-casting machines which were not being used then are in use now?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state the reasons why they were bought?

(*c*) Will the Hon'ble Member be pleased to state the dates on which those machines were bought and what were their respective prices?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) The five printing machines are now in use. The three type-casting machines, not being suited for mechanical composition, have been sold.

(*b*) and (*c*) The type-casting machines were bought twenty-four years ago, that is, several years before the general adoption of mechanical composition. Information as to the prices paid for them is not readily traceable.

Mr. P. BANERJI: Can the Hon'ble Member give us an idea as to how long these machines last?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir.

Mr. P. BANERJI: Is the Hon'ble Member in a position to contradict me if I say that these machines were purchased at a cost of Rs. 16,000?

The Hon'ble Mr. J. A. WOODHEAD: I do not know how much the machines cost.

Mr. P. BANERJI: Is the Hon'ble Member in a position to contradict me if I say that they cost Rs. 16,000 and that they were sold only for Rs. 3,000 and that is the reason why the Hon'ble Member is not in a position to give the figure I asked for.

(No answer was given.)

Deputy Superintendents of Press.

*158. **Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Deputy Superintendents of Press are always recruited from amongst passed printers?

(*b*) If the answer to (*a*) is in the affirmative—

(*i*) are the present Deputy Superintendents of the Bengal Government Press passed printers;

(*ii*) where were they employed before being appointed to their present posts;

(*iii*) what was the salary attached to the respective posts in which the Deputy Superintendents of the Bengal Government Press were employed before their present appointments:

(*iv*) what are the present ages of the respective Deputy Superintendents of the Bengal Government Press;

(*v*) what is the length of the period of their present service;

(*vi*) what are their qualifications;

(*vii*) how were they selected for their present appointments;

(*viii*) what was their initial salary; and

(*ix*) what is their present salary?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) and (*b*) (*i*) Yes.

(*ii*) Two with printing firms in Calcutta and one at the Bengal Government Press.

(*iii*), (*iv*), (*v*) and (*ix*) A statement is laid on the table.

(*vi*) They are passed printers.

(*vii*) By selection after advertisement.

(*viii*) Rupees 550.

Statement referred to in answer to starred question No. 158 (b), (iii), (iv), (v) and (ix).

	Salary of post held before appointment as Deputy Superintendent.	Present age.	Length of service.	Present salary.
	Rs.			Rs.
Mr. C. Heath ..	Not known	31 years 4 months	5 years 3 months ..	750
Mr. H. W. Shea	330	30 years 6 months	5 years 2 months ..	750
Mr. C. H. Arnott	Not known	34 years 8 months	3 years 6 months ..	670

Employees in the Bengal Government Press.

*159. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) I the Hon'ble Member in charge of the Finance Department aware—

(*i*) that the number of employees in the Government of Ind Press, Calcutta, is larger than the number of employees i the Bengal Government Press;

(*ii*) that there are two time-keepers in the Government of Indi Press, Calcutta; and

(*iii*) that there are five time-keepers in the Bengal Governmer Press?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'bl Member be pleased to state the reasons of employing five time-keeper in the Bengal Government Press?

(*c*) Will the Hon'ble Member be pleased to lay a statement o the table showing the number of employees in the Bengal Governmen Press?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) (*i*) and (*ii*) Yes.

(*a*) (*iii*) and (*b*) Five persons are employed in the time-keeping estab lishment of the Bengal Government Press. This establishment ha clerical as well as time-keeping duties to perform. No more than tw persons are at any one time actually employed on time-keeping work

(*c*) A statement is laid on the table.

Statement referred to in the reply to starred question No. 159 (c).

Salaried officers	...	4
Salaried supervising staff	..	33
Salaried clerical establishment	..	57
Salaried reading establishment	...	71
Salaried and piece operatives and other establishment	...	527
		692

Provident Fund in the Bengal Government Press.

*160. **Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) Is the Hon'ble Member in charge of the Finance Department aware—

(*i*) that according to the Government of India Resolution No. A. 31, dated the 15th of July, 1920, a Provident Fund was started for the benefit of the employees in the Government of India Press appointed after that date;

(ii) that the Provident Fund was started in the year 1931; and

(iii) that the Government of India began to contribute their portion from the middle of the year 1920?

(b) Is the Hon'ble Member also aware that in reply to a resolution moved in this Council on the 12th February, 1929, the Hon'ble Mr. Marr, the then Finance Member, said in connection with the question of starting a suitable Provident Fund for future employees in the Bengal Government Press, "we were prepared to give effect to it at once but are awaiting the results of the inquiries of the Government of India who are trying to frame rules for a Provident Fund for the employees of their presses"?

(c) Is the Hon'ble Member aware—

(i) that in the Government of Bengal, Finance Department, circular No. 581, it is stated that all the piece-workers appointed after the 31st of March, 1934, and such other piece-workers who have not yet attained the pensionable status and who have been appointed before 31st of March, 1934, would be able to enter the Provident Fund and by doing so they would forfeit their claims to pensions or Government contributions for services prior to that date; and

(ii) that the present Superintendent of the Bengal Government Press made the piece-workers sign their names on the application for the Provident Fund by giving them to understand that the Provident Fund in the Bengal Government Press would be on the same line with that of the Provdient Fund in the Government of India Press?

(d) If the answer to (c) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor? Will the Hon'ble Member be pleased to lay on the table a copy of the rules framed for the conduct of affairs in the Provident Funds in the Government of India Press and the Bengal Government Press?

The Hon'ble Mr. J. A. WOODHEAD: (a), (b) and (c) (i) Yes.

(c) (ii) No.

(d) The reason is to be found in the fact that the pensionary system was abandoned in the Government of India Presses for employees recruited after the 15th July, 1920, whereas this was not the case in the Bengal Government Press. A copy of the contributory Provident Fund Rules of the Government of India and a copy of the Rules of this Government are laid on the Library table.

Mr. P. BANERJI: *Will the Hon'ble Member be pleased to state after the abandonment of the pensionary system of the Government o India on the 15th July, 1920, this system was continued by the Government of India?*

The Hon'ble Mr. J. A. WOODHEAD: The hon'ble member is referred to answer (*d*).

Mr. P. BANERJI: Is it not a fact that at the time when the pensionary system was abandoned by the Government of India a similar circular was issued by them to the Government of Bengal asking them to contribute to the provident funds of the Government of India?

The Hon'ble Mr. J. A. WOODHEAD: I have no information as regards the issue of any such circular.

Mr. P. BANERJI: Is it not a fact that the Government of Bengal have not taken any steps to give effect to the Government of India circular for contributory provident fund for the last 14 years?

The Hon'ble Mr. J. A. WOODHEAD: The Government of India provident fund rules were issued in 1931.

Madaripur Bil route canal.

***161. Khan Bahadur Maulvi ALIMUZZAMAN CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to lay on the table a statement showing—

(*i*) what is the total expenditure so far incurred by the Government for the excavation, dredging and maintenance of the Bil route canal in the district of Faridpur; and

(*ii*) what is the annual average income received by the Government (1) from collection of tolls, (2) from steamers and other vessels passing through the canal, and (3) also from other sources, namely, settlements of fishery rights within the canal and surplus acquired lands on its banks?

(*b*) Is the river Lower Kumar from Fatepur to Charmuguria included in the Bil route canal?

(*c*) Is the same being controlled by the Government Irrigation Department along with the excavated portion from Haridaspur to Fatepur?

(*d*) Is the Hon'ble Member aware—

(*i*) that the canal is the only water course connecting Khulna with Madaripur; and

(*ii*) that the rapid silting up of the river Lower Kumar will result in the closing of the Bil route canal to navigation and in the ruin of the growing trade of Madaripur and other outlying stations?

(*e*) Is the Hon'ble Member also aware that the Pilot Superintendent of Messrs. India General Navigation and River Steam Navigation and Railway Company has reported that the steamer services between Madaripur and Fatepur (Sindia Ghat) be discontinued as the river has become too shallow for vessels with small draft to pass through?

(*f*) Is it a fact that to keep the river Lower Kumar navigable throughout the year the Government have constructed lock-gates at the mouth of all side canals on the southern bank of the river from Rajair to Ghatmajhi?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state what has been the total expenditure incurred by the Government for the construction of the lock-gates?

(*h*) Is it a fact that after the lock-gates scheme had been put into operation it was found to be unsuccessful and has been completely abandoned?

(*i*) Will the Hon'ble Member be pleased to state the officers responsible for the scheme?

(*j*) Do the Government intend keeping the river Lower Kumar navigable by dredging?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim Ghuznavi, of Dilduar): (*a*) (*i*) The total capital expenditure on the Madaripur Bil route to the end of the year 1932-33 is Rs. 84,45,863 (direct and indirect) and the total revenue expenditure on the canal to the end of the same year is Rs. 63,12,397.

(*ii*) The annual average income from navigation for the 5 years ending 1932-33 is Rs. 2,72,608 and from other sources for the same period Rs. 4,516.

(*b*) and (*c*) Yes.

(*d*) (*i*) No; there is an alternative connection *vide* the Gabkhan Bharani-Barisal route.

(*ii*) This will be the result if the Lower Kumar silts up, but endeavours are being made to prevent the silting as far as possible.

(*e*) Government have received no such report on the subject, but it is understood that this service has been temporarily discontinued.

(*f*) Government have constructed sluices and lock-gates on the side canals to keep the Lower Kumar river navigable for as long a period in the year as possible.

(*g*) Rupees 7,43,422.

(*h*) The sluice and lock-gate scheme has not proved entirely successful in arresting the deterioration of the Lower Kumar river by siltation. The deterioration in the middle reach of the river has been checked, but owing to the Arial Khan opening out in 1930, direct communication with the Lower Kumar at Nilokhi, the western end has deteriorated. The scheme has not been abandoned.

(*i*) It would not be in accordance with custom for the names of the officers in question to be given.

(*j*) Government intend keeping the Lower Kumar river navigable either by dredging or by regulating the flow of water in the river by means of the locks and sluices mentioned above for as long a period every year as possible.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it correct to say that the revenue expenditure on the Bil route is four times the revenue income?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: I must have notice of that for I cannot carry the figures in my head.

Khan Bahadur MUHAMMAD ABDUL MOMIN: May I refer to the answer given by the Hon'ble Member, No. (*a*) (*i*) and (*ii*)? Would it not be correct to infer from these figures that the expenditure would be over five times the income?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM GHUZNAVI, of Dilduar: That cannot be, the figures have got to be scrutinised and I must have notice of this question.

Khan Bahadur Maulvi AZIZUL HAQUE: What has been the total loss?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar. I cannot tell you. I must have notice.

Khan Bahadur MUHAMMAD ABDUL MOMIN: If the facts are as I have said, is it not considered that the scheme is a very great drain on the provincial revenues of Bengal?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: It may be a great drain no doubt, but the whole question of the Madaripur Bil route was very carefully examined in the department. It must be remembered that this work was undertaken in order to keep the communication between East Bengal and West Bengal and it was evident at the time that this communication must be kept intact.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not possible to increase the revenue to something like the expenditure in any way?

The Hon'ble Alhadj Nawab Bahadur Sir ABDELKERIM CHUZNAVI, of Dilduar: That is exactly the thing which is receiving our careful consideration and I personally took up this question several years ago and it is being probed very carefully.

Road and Public Works cess.

*162. **Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the rate at which the Road and Public Works cess is proposed to be levied in the next financial year in the district of Murshidabad; and

(*ii*) the rate which the board had adopted and recommended under sections 38 and 39 of the Cess Act in a meeting held in February last?

(*b*) Are the Government considering the desirability of accepting the board's proposal and recommendation especially with regard to the Public Works cess?

(*c*) If the answer to (*b*) is in the negative, on what grounds have the Government refused to comply with the request of the board?

Mr. O. M. MARTIN: (*a*) (*i*) The matter is under the consideration of Government.

(*ii*) The district board of Murshidabad has adopted the rate of 4½ pies in the rupee as the annual value of all lands for road cess.

(*b*) The matter is under the consideration of Government.

(*c*) Does not arise.

Tenders for woods in the Bengal Government Press.

***163. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Bengal Government Press call for tenders for the purchase of woods?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing, year by year, for the years 1927 to 1933—

(*i*) the names of the tenderers;

(*ii*) the names of the persons whose tenders were accepted;

(*iii*) the quantity for which tenders were accepted;

(*iv*) the quantity utilised for specific purposes?

(*c*) Is the Hon'ble Member aware that woods which are purchased by the Government are sometimes used for the purposes of making furniture for the personal use of the Superintendent and Deputy Superintendents of the Bengal Government Press?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Yes.

(*b*) (*i*), (*ii*) and (*iii*) A statement is laid on the table.

(*iv*) The information is not available.

(*c*) No.

Statement referred to in the reply to starred question No. 163 (b).

(i) NAMES OF TENDERERS FOR WOOD.

1927-28.

Choudhury & Co.
Ram Chandra Mahinder.

1928-29.

Timber Traders, Ltd.
Ram Chandra Mahinder.
Adhar Ch. Baisya Saha.
Hari Ch. Baisya Saha.
Choudhury & Co.
Howrah Mechanical Wood Works.

1929-30.

Ram Chandra Mahinder.
D. N. Ghosal.

1930-31.

Ram Chandra Mahinder.
Sil Dutt & Co.
Wellington Timber Trading Co.
D. N. Ghosal.
Dey Bose & Co.

1931-32.

Ram Chandra Mahinder.
D. N. Ghosal.
Dey Bose & Co.
Sil Dutt & Co.

1932-33.

K. Ghosal & Bros.
Dey Bose & Co.
Sil Dutt & Co.
Bonjea & Co.
Halder & Co.

1933-34.

Bonjea & Co.
Halder & Co.
Sil Dutt & Co.

(ii) NAMES OF PERSONS TO WHOM CONTRACTS WERE GIVEN.

1927-28.

Ram Chandra Mahinder.

1928-29.

Ram Chandra Mahinder.

1929-30.

D. N. Ghosal.

1930-31.

D. N. Ghosal.

1931-32.

D. N. Ghosal up to October, 1931.
K. Ghosal & Bros. from November, 1931 to March, 1932.

1932-33.

K. Ghosal & Bros.

1933-34.

Sil Dutt & Co.

(iii) QUANTITY.

No quantity is specified in the bond executed by the contractor. When tenders are called for the approximate quantity required is announced.

Tenders for sale of waste papers in the Bengal Government Press.

***164. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Bengal Government Press call for tenders for the sale of waste paper?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state the reason for not doing so?

(*c*) If tender is called for, will the Hon'ble Member be pleased to lay on the table a statement showing, year by year, for the years 1927 to 1933—

(*i*) the names of the tenderers;
(*ii*) the names of the persons whose tenders were accepted;
(*iii*) the rates at which such tenders were given;
(*iv*) the amounts realised from the sale of waste papers; and
(*v*) how the amounts were utilised?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Tenders are usually called for.

(*b*) Does not arise.

(*c*) A statement is laid on the table.

Statement referred to in the reply to starred question No. 164 (c).

(*i*) NAMES OF TENDERERS.

1927-28.

Contract auctioned by Mackenzie Lyall & Co. and given to the highest bidder.

1928-29.

Contract auctioned by Mackenzie Lyall & Co. and given to the highest bidder.

1929-30.

Contract auctioned by Mackenzie Lyall & Co. and given to the highest bidder.

1930-31.

No tender was called; the contract was given to Salvation Army at the previous rate.

1931-32.

No tender called and the contract given to Salvation Army at the previous year's rate up to 29th October, 1931.

M. Siddique & Co.
Sk. Idoo & Co.
S. M. Din.
Md. Azimuddin & Co.
The Kraft and Waste Paper Mart, Calcutta.

1932-33.

M. Siddique & Co.

1933-34.

M. Siddique & Co.
Messrs. M. K. Esrari & Co.
Messrs. Bonjea & Co.

(ii) AND (iii) NAMES OF CONTRACTORS AND THE RATES ACCEPTED.

1927-28.

The Salvation Army through Mackenzie Lyall & Co.'s auction at Rs. 1-9-6 per maund.

1928-29.

G. P. Khettry at Rs. 2-12 per maund up to 31st December, 1928.

M. N. Chatterjee Banerjee & Co. Rs. 2-13 per maund from 1st January, 1929, to 31st March, 1929.

1929-30.

Kunja Behari Ghosh at Rs. 3-2-6 per maund up to 31st May, 1929.

The Salvation Army at Rs. 2 per maund from 1st June, 1929, to 31st March, 1930.

1930-31.

The Salvation Army at Rs. 2 per maund.

1031-32.

The Salvation Army at Rs. 2 per maund up to 29th October, 1931.

Sk. Idoo & Co. at Rs. 2 per maund from 30th October, 1931.

1932-33.

M. Siddique at Rs. 2 per maund up to 31st July, 1932, and at Rs. 1-8 from 1st August, 1932 to 31st March, 1933.

1933-34.

Messrs. M. K. Esrari & Co. at Rs. 1-4 per maund.

(iv) AND (v) AMOUNT OF SALE PROCEEDS CREDITED TO GOVERNMENT.

1927-28—Rs. 2,027-7.

1928-29—Rs. 1,258-5-9.

1929-30—Rs. 1,708-7.

1930-31—Rs. 1,426-5-6.

1931-32—Rs. 1,669-14.

1932-33—Rs. 1,496-8.

1933-34—Rs. 817-8.

Muslim employees in Calcutta Port Trust.

***165. Maulvi NURAL ABSAR CHOUDHURY:** (a) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether it is a fact that there is not a single Mussalman employee in the Calcutta Port Trust who draws a salary of five hundred rupees or more or is on a scale of salary rising up to or above that amount?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

(*c*) Is the Hon'ble Member aware that Mussalmans with sufficient qualifications, academic or technical, are now available to hold posts in the senior rank of the Calcutta Port Trust services?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) The scale of pay of Assistant River Surveyors is

(*i*) probationary period Rs. 75—95—115;

(*ii*) after confirmation Rs. 200 rising to Rs. 1,200.

One of the Assistant River Surveyors on probation is a Mussalman.

(*b*) Does not arise.

(*c*) Yes; a Moslem has been appointed a probationer in the Traffic Department.

Economic Enquiry Board.

***168. Maulvi ABDUL HAKIM:** (*a*) With reference to the answer given to unstarred question No. 46 on the 6th March, 1934, will the Hon'ble Member in charge of the Commerce Department be pleased to state—

(*i*) the names of the two representatives taken on the Economic Enquiry Board to represent the interest of the agricultural people in Bengal;

(*ii*) their substantive appointment, occupation or profession;

(*iii*) their usual place of residence;

(*iv*) whether they are office-bearers of any association concerning the interests of agricultural people; and

(*v*) what are the reasons that the Secretary to the Nikhil Bengal Praja Samiti has not been taken in for the committee of the said Economic Enquiry Board?

(*b*) Is the Hon'ble Member aware that the Nikhil Bengal Praja Samiti is the only provincial association organised to represent the legitimate interests of the poor agricultural people of the whole province?

(*c*) What is the percentage of agricultural people in Bengal?

(*d*) What are the reasons that this percentage was not considered at all, in respect of the agricultural people, in constituting the said Economic Enquiry Board?

(e) Is the Hon'ble Member aware that the Nikhil Bengal Praja Samiti is a constitutional association with Sir Abdur Rahim, ex-Member of the Executive Council, Bengal, and M.L.A. as the President, and Khan Bahadur Maulvi Abdul Momin, ex-Commissioner and M.L.C., and some other prominent persons as Vice-Presidents?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a) (i) Khan Bahadur Maulvi Azizul Haque, M.L.C., and Rai Sahib Panchanan Barma, M.L.C.

(ii) Both are understood to be members of the legal profession, but this was not taken into account in making the selection.

(iii) The member is referred to the list of members of the Bengal Legislative Council issued by the Bengal Legislative Council Department.

(iv) Government have no information.

(v) Government selected the persons they considered most suitable to represent agricultural interests.

(b) No.

(c) The member is referred to Chapter VIII of the Census of India, 1931, Volume V, Part I.

(d) The Board was not constituted on the basis of percentages.

(e) Government have no information.

Mr. SHANTI SHEKHARESWAR RAY: Do the members of the Board receive any fee for attending meetings of the Board?

The Hon'ble Mr. J. A. WOODHEAD: No, not so far as I am aware of.

Mr. NARENDRA KUMAR BASU: With reference to answer (a), is membership of the legal profession a disqualification?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir.

Professor of Clinical Medicine, Calcutta Medical College.

***167. Dr. AMULYA RATAN GHOSE:** (a) With reference to the reply in the negative, to starred question No. 76 on the 20th February,

1934, will the Hon'ble Minister in charge of the Local Self-Government (Medical) Department be pleased to state whether he is aware—

(*i*) that there was a temporary vacancy in the post of Professor of Clinical Medicine, Calcutta Medical College, about the month of December, 1933, and

(*ii*) that the said post was filled up by an independent medical man who had not been in the Bengal Medical Service?

(*b*) If the answers to (*a*) are in the affirmative, then will he be pleased to state—

(*i*) the reason why he did not mention this case in his reply to my supplementary question in the Council on the 20th Februay, 1934;

(*ii*) the reason why the claims of the deserving candidates from the Bengal Medical Service were not considered; and

(*iii*) also the reason which actuated the Government to depart from its usual practice of filling up vacancies from amongst men of the Bengal Medical Service in the present case?

(*c*) Will the Hon'ble Minister be pleased to state the qualifications of the candidate who has been selected to fill up the post and of other claimants to the post?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) the names and designations of persons who were responsible for the selection;

(*ii*) what were the standard of qualification considered acceptable by the selecting authority; and

(*iii*) the reason for not consulting men like Sir Nilratan, the Surgeon-General and other official and non-official medical authorities in this matter?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) and (*ii*) No.

(*b*), (*c*) and (*d*) Do not arise.

Muslim employees in Calcutta Medical College.

***168. Maulvi NURAL ABSAR CHOUDHURY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government (Medical) Department be pleased to state whether Government circulars fixing the percentage of Muslims in the services under Government are in the usual way forwarded to the Calcutta Medical College authorities?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons that Muslims are not to be recruited in the higher scale of pay?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) Vacancies in the higher grade posts are filled by promotion which is made on the basis of merit and seniority and not on that of the community to which an officer happens to belong.

Allegations against local bodies in Jessore.

*169. **Mr. K. C. RAY CHOWDHURY:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the villagers of Sankarpur, police-station Narail, district Jessore, sent memorials dated the 5th June, 1932, to His Excellency the Governor of Bengal and the Hon'ble Minister in charge of the Local Self-Government through the Commissioner, Presidency Division, and the District Magistrate and Subdivisional Officer, Narail, making serious allegations against the Jessore district board, Narail local board and Chandibarpur union board?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, the Government have taken or intend taking in the matter?

(*c*) If no action has been, or is intended to be, taken in the matter, what are the reasons?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) and (*c*) The District Magistrate has been asked to submit a report on the subject which, it is regretted, has not yet been received. The information, when received, will be communicated to the member.

Road development works in Mymensingh.

*170. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department, be pleased to lay on the table a statement showing for the Mymensingh district—

(*i*) how far the works of the roads recommended by the Road Board have proceeded;

(*ii*) how much money has been spent on each of the two sanctioned roads?

(*b*) *Will the Hon'ble Minister be pleased to state whether the Government expect that the constructions of the recommended roads in the* Mymensingh district will be completed by March, 1936, as assured by them in answer to a previous question on this subject?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) and (*ii*) The estimate sanctioned for the improvement of the Mymensingh-Tangail Road (two sections) amounts to Rs. 3,40,795. Out of the grant of Rs. 50,000 already made for this work the district board spent Rs. 47,379-9 up to 26th February, 1934, and expects to spend Rs. 27,620 more during the current year. The district board has made an application for a grant of Rs. 25,000 which is under the consideration of Government.

(*b*) A report has been called for from the District Magistrate on this point, and the information, when received, will be communicated to the member.

Midnapore district board.

*171. **Babu SUK LAL NAG:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) for how many years the right of electing their own Chairman by the Midnapore district board has been withheld by the Government; and

(*ii*) whether it is a fact that the orders withdrawing such right of the board are being issued every year?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, when is the last order to expire?

(*c*) Is the Hon'ble Minister also aware—

(*i*) that all financial liabilities have already been cleared up and normal condition restored; and

(*ii*) that the said liabilities consisted largely to the appointment of the official Chairman?

(*d*) If the answer to (*c*) is in the affirmative, are the Government considering the desirability of restoring the right of electing their Chairman to the board after the last order withdrawing such right expires?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Since June 1930.

(*a*) (*ii*) and (*b*) The matter is open to reconsideration year by year.

(*e*) (*i*) The time given has been insufficient to admit of a definte answer on the point.

(*ii*) The question is not understood.

(*d*) When the term of the present Chairman expires in June, 1934, the matter will receive careful consideration.

Unfiltered water for fire-extinguishing purposes.

***172. Rai Dr. HARIDHAN DUTT Bahadur:** (*a*) With reference to the Report on the Working of the Calcutta Fire Brigade for the year ending March, 1933, will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) whether the Fire Brigade's complaint of "little water" by the Corporation of Calcutta in the provision of sluice valves on the water mains used for fire fighting is true;

(*ii*) whether it is a fact that "danger of fire taking a serious turn is ever present" in some parts of the city of Calcutta owing to the inaction of the Corporation in respect of unfiltered water;

(*iii*) whether it is a fact that water mains are not provided for extinguishing fires in the Cossipore-Chitpore area; and

(*iv*) whether it is a fact that the district of Cossipore-Chitpore abounds with extremely serious fire risks of which jute warehouses and presses form the great majority?

(*b*) Is the Hon'ble Minister aware that many tanks and ponds have now been filled up in that district for sanitary reasons and to provide building sites?

(*c*) What steps have been taken to meet the requirements of this district in respect of water for fire extinguishing?

(*d*) Has any scheme for providing necessary unfiltered water-supply been before the Corporation?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state what action has been taken in that connection?

(*f*) Is it also a fact that the conditions in Howrah district are as bad as in Cossipore or worse?

(*g*) What action do the Government propose taking to remedy the present state of things and ensure provision of adequate water-supply to fight against fires all over Calcutta and Howrah?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*)(*i*) The Fire Brigade has no complaint at present of little water, but they stressed the necessity of additional sluice valves in order to avoid complete shut down of the pumping stations when repairs are required to be done.

(*ii*) The danger of a fire taking a serious turn is naturally present when the pumping stations are completely shut down.

(*a*)(*iii*), (*iv*) and (*b*) Yes.

(*c*), (*d*) and (*e*) A scheme for providing the necessary water-supply for fire-extinguishing purposes was discussed by the Calcutta Corporation with Captain Westbrook some years ago, but so far no action has been taken.

(*f*) The conditions in the Howrah district are worse than the conditions in Cossipore-Chitpore, although the Howrah municipality has installed 50 filtered water hydrants which are attached to the reserve mains. The reserve mains being on the principal roads of Howrah, it has not been possible to provide hydrants in the smaller streets and lanes.

(*g*) The matter is engaging the attention of Government.

Works Committee, Bengal Government Press.

***173. Maulvi SYED OSMAN HAIDER CHAUDHURI:** (*a*) Is the Hon'ble Member in charge of the Finance Department aware—

(*i*) that according to an Act passed by the Government of India, any person who is a major having other voting qualifications can stand as a candidate for election to the Council of State, the Legislative Assembly, the Provincial Councils and other local self-government bodies;

(*ii*) that any member of the Government of India Press situate at Hastings Street can stand as a candidate for election to the Works Committee immediately after his appointment; and

(*iii*) that in the Bengal Government Press rules have been framed regulating the eligibility of a candidate for election to the Works Committee to the effect that any person before he can stand as a candidate for election to the Works Committee must be 30 years of age and must have completed the fifth year of his service.

(*b*) If the answers to (*a*)(*ii*) and (*iii*) are in the affirmative, will the Hon'ble Member in charge of the Finance Department be pleased to state the reasons for differential treatment?

(*c*) Will the Hon'ble Member be pleased to lay on the table a copy of the rules regulating the affairs in the Works Committee of the Government of India Press?

The Hon'ble Mr. J. A. WOODHEAD: (*a*)(*c*) No.

(*ii*) This is understood to be the case.

(*iii*) Yes.

(*b*) It was thought advisable to confine the employees' representatives to men who are at least 30 years of age and have served in the Press for at least five years.

(*c*) It is suggested that the hon'ble member should apply to the appropriate department of the Government of India.

Employees in the Medical College and Medical College Hospitals.

*174. **Maulvi AZIZUR RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government (Medical) Department be pleased to lay on the table a statement showing for the present—

(*i*) how many ministerial officers, miscellaneous officers and menials (except in the medical and teaching line) are there in the offices of the Principal and the Superintendent, and in the hospitals of the Medical College, Calcutta;

(*ii*) how many of them are Muslims in each rank;

(*iii*) how many posts of the ranks referred to in (*i*) are there in the said offices and hospitals of which the maximum pay is more than Rs. 100;

(*iv*) how many of them are held by Muslims;

(*v*) how many clerks and menials are there in the Principal's office (proper);

(*vi*) how many of them are Muslims;

(*vii*) how many posts of clerks are there of which the maximum pay is more than Rs. 100 in the office (proper) of the Principal and of the Superintendent;

(*viii*) how many of them are held by Muslims;

(*ix*) how many appointments in such ranks in the said offices and hospitals were made during the last three years;

(*x*) how many of those appointments were given to Muslims; and

(*xi*) what were their scales of pay?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*)—

(*a*) Ministerial officers—44.

(*b*) Miscellaneous officers—22 (including 6 females).

(*c*) Establishment menials—39.

(*d*) Compounders—16.

(*ii*)—

(*a*) Ministerial officers—7.

(*b*) Miscellaneous officer—1.

(*c*) Establishment menials—4.

(*d*) Compounders—4.

(*iii*)—

(*a*) Ministerial officers—7.

(*b*) Miscellaneous officers—3.

(*c*) Establishment menials—Nil

(*d*) Compounders—Nil.

(*iv*)—None.

(*v*)—

Clerks—19.

Menials—13.

(*vi*)—

Clerks—2.

Menials—2.

(*vii*)—7.

(*viii*)—None.

(*ix*)—

(*a*) Ministerial officers—3.

(*b*) Miscellaneous officers—4 (of these 2 were Anglo-Indian women).

(*c*) Establishment menials—6.

(*d*) Compounders—2.

(*x*) and (*xi*)—

(*a*) Ministerial officers—2 on Rs. 40—1—45.

(*b*) Miscellaneous officer—1 on Rs. 60—4—100.

(*c*) Establishment menial—1 on Rs. 30.

(*d*) Compounder—1 on Rs. 30—1—40.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to say what is the reason for this extremely inadequate representation of Mussalmans in the service?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The rule about the reservation of seats for the Mussalmans in the service is also applicable to service in the Medical College, but some of these officers were appointed shortly after the defalcation that took place in 1928 in the Medical College and officers had to be appointed very quickly, and they had to be selected from other departments irrespectively of communal considerations.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Who were the offenders in the defalcation case? Were there any Muhammadan employees?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

New machines in Bengal Government Press.

*175. **Maulvi ABDUS SAMAD:** Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing, year by year, in the years 1920-1933—

(*i*) the total sum of money that was spent in buying new machines giving their respective prices, their names and the nature of works performed by each such machine;

(*ii*) how many piece-workers and how many salaried hands have been retrenched as a result of putting these new machines in use; and

(*iii*) the amount saved as a result of putting these new machines into work?

The Hon'ble Mr. J. A. WOODHEAD: (*i*) A statement is laid on the table.

(*ii*) and (*iii*) It is difficult to estimate the savings attributable to the introduction of this monotype machinery; but the establishment is certainly smaller than it would have been had these modern machines not been introduced.

Statement referred to in the reply to starred question No. 175 (i).

	Machine.	Number	Price.	Year of receipt.	Work.
			Rs. a. p.		
1.	Quad Crown Babcock Letters Press Machines with motors.	6	95,895 6 0	1921	Printing.
2.	F'cap Broadside Rapid Printing Machines with motors.	2	8,610 1 0	1921	Printing.
3.	Linotype Machines ..	5	1,18,418 1 4	1921	Mechanical composing.
4.	Punching Machine ..	1	1,544 15 0	1921	For round cornering, index punching, etc.
5.	Double Demy Babcock Letter Press Machine with motor.	1	12,742 15 0	1922	Printing.
6.	Monotype Casting Machine	1	18,210 1 0	1922	Mechanical composing and typecasting.
7.	Monotype Casting Machines with keyboards.	2	29,009 14 0	1922	Mechanical composing and typecasting.
8.	Monotype keyboard ..	1	2,663 10 0	1922	Mechanical composing
9.	Crown Folio Brehmer Platen and motor.	1	4,352 10 0	1923	Printing.
10.	Royal Folio Platen Letterpress Machines with self-feeder and motors	2	16,194 9 0	1923	Printing.
11.	F'cap Broadside Rapid Printing Machines with motors	2	10,583 6 0	1923	Printing.
12	Linotype Machines ..	6	1,52,172 0 0	1923	Mechanical composing.
13.	Ludlow Typograph ..	1	5,387 9 0	1923	Display type-setting machine
14.	Elrod Lead and Rule Caster	1	7,352 6 0	1923	Casting lead rule and clumps, etc.
15.	Cutting Machine .	1	6,060 10 0	1923	Cutting paper books, etc.
16.	Strawboard Cutting Machine	1	2,984 7 0	1923	Cutting strawboard.
17.	Monotype Casting Machines with keyboards.	2	41,512 4 0	1925	Mechanical composing and typecasting.
18.	Monotype Casting Machines with keyboards	2	40,789 5 0	1925	Mechanical composing and typecasting
19.	Card Bending Machine ..	1	812 14 0	1926	Book covers.
20.	Monotype Casting Machine	1	13,046 14 3	1927	Mechanical composing and typecasting.
21.	Ludlow Typograph ..	1	5,518 14 3	1927	Display type-setting machine.
22.	Monotype Casting Machines	2	27,377 0 11	1928	Mechanical composing and typecasting.
23.	Folding Machine .	1	4,161 8 0	1928	Folding sheets for binding (replacement).
24.	Knife Grinding Machine ..	1	3,219 11 7	1928	Grinding cutting machine knives (replacement).
25.	Thread-stitching and Knotting Machine.	1	3,785 10 8	1928	Binding work.
26.	Washering Machine ..	1	1,795 1 9	1928	Washering (replacement).
27.	Book Sewing Machine ..	1	6,844 15 1	1928	Sewing books.
28.	Linotype Machines ..	2	35,192 11 4	1929	Mechanical composing.
29.	Monotype Casting Machines	2	28,932 7 0	1929	Mechanical composing and typecasting.
30.	Linotype Machines ..	2	27,156 3 0	1930	Mechanical composing.

	Machine.	Number.	Price.	Year of receipt.	Work.
			Rs a. p.		
31.	Monotype Casting Machines with motors.	2	28,921 13 0	1930	Mechanical composing and type-casting.
32.	Thread-stitching and Knotting Machine.	1	2,937 1 2	1930	Binding work (replacement).
33.	Embossing Press	1	746 5 0	1931	Gold blocking, etc.
34.	Folding Machine	1	4,252 8 0	1932	Folding sheets for binding (replacement).
35.	Linotype Machines	2	36,540 0 0	1933	Mechanical composing.
36.	Thread-stitching and Knotting Machine	1	3,229 12 8	1933	Binding work (replacement).
			8,08,955 9 0		

Ministerial officers of the Calcutta Medical College.

*176. **Maulvi NURAL ABSAR CHOUDHURY:** Will the Hon'ble Minister in charge of the Local Self-Government (Medical) Department be pleased to lay on the table a statement showing—

(*a*) the present number of ministerial officers in the Medical College, Calcutta (attached to the offices of the Principal and Superintendent of Hospitals);

(*b*) their caste and creed;

(*c*) the educational qualifications of each;

(*d*) the scale of pay and the present pay of each; and

(*e*) The date of their appointment to their present posts?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Two statements are laid on the table which give the information required.

Statement giving the information asked for in starred question No. 176 regarding ministerial officers in the Medical College.

Serial No.	Scale of pay	Qualification	Caste and creed	Date of appointment.	Present pay
	Rs.				Rs.
1	110	B.A	Bengali Brahmin	1-2-1928	110
2	100—5—125	Read up to the I.A. standard	Ditto	3-1-1928	125
3	110	B.A	Ditto	15-9-1928	110
4	110	B.A	Ditto	21-4-1933	110
5	100 subject to 15 per cent. cut.	Matriculate	Ditto	21-4-1933	100
6	40—40—45—5/2—100	Read up to the I.Sc. standard.	Ditto	1-12-1927	55
7	Ditto ..	Ditto	Ditto	15-9-1928	50
8	Ditto ..	B.A.	Ditto	10-2-1930	50
9	Ditto	Matriculate	Bengali Kayastha	3-1-1928	55
10	40	M.Com	Bengali Brahmin	5-2-1930	40*
11	40	B.Sc.	Ditto	9-10-1930	40
12	40	Read up to the B.Sc. standard.	Ditto	1-2-1930	40
13	40	Matriculate	Ditto	21-4-1933	40
14	45	Read up to the B.Sc. standard.	Bengali Kayastha	15-9-1928	45
15	45	Non-Matric.	Ditto	14-5-1928	45
16	45	Read up to the I.A. standard	Muslim Sunni	25-9-1928	45
17	40	Ditto	Ditto	15-12-1930	40
18	65	Read up to the B. Com. standard.	Bengali Brahmin	4-10-1928	65
19	45—5/2—70	Non-Matric	Bengali Kayastha	1-4-1919	70

Statement giving the information asked for in starred question No. 176 regarding ministerial officers in the Medical College.

Number.	Caste and creed.	Educational qualification.	Scale of pay.	Present pay.	Date of appointment to the present post.
			Rs.	Rs.	
1	Hindu Kayastha ..	I Sc. (1st year) ..	100—5—150 ..	145	1st March, 1923.
2	Do. Sutradhar ..	F.A. (2nd year)	80—4—120 ..	120	1st July, 1923.
3	Do. Brahmin .	Ditto .	40—40—45—2—85.	85	1st May, 1906.
4	Do. Gandhabanik	Entrance Class	Ditto	69	1st July, 1922.
5	Do. Brahmin	I Sc (2nd year)	Ditto ..	63	1st September, 1926.
6	Do. Baidya ..	I.A. (2nd year) .	Ditto ..	49	1st October, 1928.
7	Do Brahmin ..	I.Sc. (2nd year)	Ditto ..	47	15th July, 1932.
8	Ditto ..	M A. (6th year)	Ditto ..	55	1st September, 1926
9	Ditto ..	Matric Class	Ditto	51	1st October, 1928.
10	Do. Kayastha .	B A. (3rd year) ..	Ditto .	53	1st October, 1928.
11	Do. Brahmin .	M Sc .	Ditto ..	75	19th August, 1925.
12	Do. Kayastha ..	Entrance Class .	60—4—100 ..	80	15th July, 1932.
13	Do. Brahmin ..	Matric. Class	60—4—80 .	64	16th May, 1932.
14	Do. Kayastha .	Matric.	45—5/2—70 ..	65	13th July, 1925
15	Do. Brahmin ..	B.A (4th year) .	40—40—45—2/2—65.	49	1st October, 1928.
16	Do. Kayastha ..	B.Sc. (4th year)	Ditto	40	10th February, 1930.
17	Muhammadan ..	I A. (2nd year) ..	Ditto	45	15th July, 1932
18	Hindu Kayastha ..	B.A. (4th year) ..	40—2—60 .	60	1st April, 1928
19	Do. Brahmin ..	Matric. ..	40—1—50 .	45	15th July, 1932
20	Muhammadan ..	I.A. (2nd year)	Ditto ..	43	16th December, 1930.
21	Hindu Kayastha ..	Ditto ..	40—1—45 ..	44	15th September, 1930.
22	Do. Brahmin ..	Ditto ..	Ditto ..	45	1st December, 1928.
23	Muhammadan ..	B.Sc. .	Ditto ..	43	7th April, 1930.
24	Ditto ..	Matric. ..	Ditto ..	40	14th December, 1931.
25	Ditto ..	B A ..	Ditto ..	60	1st August, 1932.

Persian and Arabic teacher in Jessore Zilla School.

***177. Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether and, if so, from what date, an Additional Persian and Arabic teacher has been sanctioned for the Jessore Zilla School; and

(*ii*) whether a Persian teacher has been appointed by this time?

(*b*) If the answer to (*a*)(*ii*) is in the negative, when will the ppointment be made?

(*c*) Is the Hon'ble Minister aware that the education of the boys re suffering for want of a Persian teacher?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) and (*b*) Government ave approved of the creation of such a post when funds can be pro-ided, but as money is not yet available the post has not been created nd no appointment has been made.

(*c*) There is already a Maulvi in the school capable of teaching oth Arabic and Persian, and most of the Muslim boys are reading ersian.

Maulvi SYED MAJID BAKSH: With reference to (*c*), is the on'ble Minister aware that a fair number of boys have taken up rabic in the school?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am not aware of

Maulvi SYED MAJID BAKSH: Is it possible for one man to take ur classes in five hours?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government recognise e necessity of an additional teacher, but as funds are not available, no ppointment has been made

Primary education scheme of Bansberia municipality.

*178. **MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble linister in charge of the Education Department be pleased to state hether any scheme for the introduction of free primary education was ubmitted by the Bansberia municipality?

(*b*) If the answer to (*a*) is in the affirmative, what action has en taken by the Government to give effect to the scheme?

(*c*) If no action has yet been taken, will the Hon'ble Minister be eased to state when the scheme is likely to be approved and free imary education will be introduced within that municipality?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes.

(*b*) Government were asked to contribute half the cost and, as owing to the shortage of funds they were not in a position to do this, they have been unable to take any steps to give effect to the scheme.

(*c*) The scheme may be considered when Government are in a position to provide more money for such schemes in municipal areas.

Menials' quarters at the Presidency College, Calcutta.

***179. Maulvi AZIZUR RAHMAN:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that there are menials' quarters in four separate buildings at the Presidency College, Calcutta, namely, one tin shed outside the college premises, one old building attached to the college ground acquired by the department, one in a portion of the Observatory building attached to the college, and one in a portion of the tin shed in the yard of the main college building?

(*b*) How many rooms are there in each of these four plots, respectively?

(*c*) How many menials are allowed to reside in these quarters?

(*d*) How many of those residing in those quarters are (*i*) Mussalmans, (*ii*) Hindus, and (*iii*) sweeper class (mehtar)?

(*e*) Is the Hon'ble Minister aware that some of the menials keep permanent guests who work outside the college?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes.

(*b*) (1)—10 rooms.

(2)—12 rooms.

(3)—10 rooms and 3 garages.

(4)—3 rooms.

(*c*) 47.

(*d*) (*i*)—1.

(*ii*)—37.

(*iii*)—9.

(*e*) No.

Abduction cases in Bengal.

***180. MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(i) for the last five years in each of the districts of Bengal the number of abduction cases;

(*ii*) the number of persons convicted;

(*iii*) the number of persons acquitted; and

(*iv*) the nationality of the accused?

(*b*) Do the Government contemplate taking drastic action against e accused by amending the law and providing corporal punishment r the accused in addition to imprisonment?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble r. R. N. Reid): (*a*) A reference may be made to the reply to unstarred estion No. 67 in the August session of 1932. The figures for 1932 d 1933 are not readily available.

(*b*) The matter is receiving the attention of Government.

Babu SATYA KINKAR SAHANA: Is it a fact that Government vited opinion from non-officials all over the province as to the punishent that should be inflicted on offenders against women?

The Hon'ble Mr. R. N. REID: The district officers were consulted d I think in some cases they consulted local opinion.

Babu SATYA KINKAR SAHANA: Is the Hon'ble Member in a sition to state whether the majority of the opinions that were subitted to the Government through the district officers were not in favour inflicting whipping for offences against women?

The Hon'ble Mr. R. N. REID: I have not made any calculation iether the majority were in favour or the minority were in favour of gging. There was a distinct difference of opinion on this matter d there was no great majority of opinion one way or the other.

Babu SATYA KINKAR SAHANA: If on an inquiry it is found at the majority is in favour of the introduction of whipping, will the on'ble Member assure the House that whipping will be introduced r this kind of offence?

The Hon'ble Mr. R. N. REID: Sir, that is a hypothetical prosition to which I cannot offer any solution.

Ganga Sagar mela arrangements by a steamer service in Midnapore.

***181. Mr. R. MAITI:** (*a*) Is the Hon'ble Member in charge of e Marine Department aware that handbills were distributed broadst throughout the district stating that on the occasion of the Ganga

Sagar mela which took place on 14th January, 1934 (Pous Sankranti day), the Hooghly Steamer Service would carry passengers to the mela from a place called Dakshinari in the Contai subdivision and bring them back on return tickets which had to be purchased from Rai Abanti Kumar Maiti Bahadur, Chairman of the Contai local board?

(*b*) Is the Hon'ble Member aware that the route referred to above lies at the mouth of the Bay of Bengal across the Hooghly river covering a distance of 10 to 12 miles and is always attended with heavy risks, as there had happened before plenty of accidents resulting in the loss of many human lives?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state whether the services of the Hooghly Steamer Service were requisitioned for the purpose on the said occasion by the Ramitra Steamer Service, the lessee of the Petua Ferry Steamer under the Midnapore district board, with the help of the Chairman, Contai local board?

(*d*) Is it a fact that the Hooghly Steamer Service carried the passengers across the aforesaid risky and dangerous place in uncovered barges which was being towed at the same time by a small steam launch containing passengers also, while the Ramitra Steamer Service took out their own big steamer called "Mavis" into the sea with the Chairman, Contai local board, his family and other relatives?

(*e*) Is it a fact—

(*i*) that on the night of Tuesday, the 16th January, 1934, while returning from the mela, one of such steam launches with many female passengers got stuck on a shallow ground at a distance of about 2 miles from Dakshinari and capsized on its side when a respectable lady passenger was thrown into the river who has since been missing and plenty of water got inside making the rest of the passengers stand in waist-deep water with their little children in arms for the whole night of this cold season till they were rescued from such plight in the next morning at about 9 o'clock;

(*ii*) that the barge full of male passengers being suddenly released from the launch was carried away to some distance by the current, thus making them wholly unable to render any help whatsoever to the female passengers in the launch who were their near and dear relatives?

(*f*) Will the Hon'ble Member be pleased to state whether it is a fact that the people of the Ramitra Steamer Service or the Chairman of the Contai local board were near about the place of accident but did not try to render any help to the distressed for about 24 hours?

(*g*) Is the Hon'ble Member aware that amongst the female passengers there were many belonging to the respectable gentry of the Contai own with the wife and children of the District Engineer of the Midnaore district board, most of whom became very seriously ill after the accident and had to be treated for some days at Contai?

(*h*) Is it a fact—

(*i*) that the said launches of the Hooghly Steamer Service were not piloted by any man belonging to the Ramitra Steamer Service who were thoroughly acquainted with this dangerous route;

(*ii*) that the launches were not sea-going vessels; and

(*iii*) that they were not fitted with search-lights, compasses and other necessary accessories for such night journeys;

(*iv*) that no arrangement for drinking water was made for the passengers, though it was specifically mentioned in the handbills that pure drinking water would be supplied to the passengers in course of their journeys to the mela and boat?

(*i*) What immediate steps do the Government contemplate taking ith regard to the persons who are mainly responsible for such serious ccident and inconvenience caused to the passengers?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) to (*i*) Government are aking enquiries, the results of which will be communicated to the ember in due course.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state hen the inquiry was started and when it is likely to be finished?

The Hon'ble Mr. J. A. WOODHEAD: An inquiry has been start-l, but when it is likely to be finished I cannot say. It is dangerous to ophesy.

Casualties from terrorist and non-co-operation activities.

***182. Mr. NARENDRA KUMAR BASU:** Will the Hon'ble ember in charge of the Political Department be pleased to lay on the ble a statement showing the names of the Government servants of all rades, including Public Prosecutors, killed or wounded by anarchists terrorists in Bengal or while dealing with the non-co-operation movement from 1908 to date?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. R. N. Reid): Two statements are laid on the table showing ie casualties from (I) terrorist and (II) non-co-operation activities, parately.

Statements referred to in the reply to starred question No. 182.

STATEMENT SHOWING THE NAMES OF GOVERNMENT SERVANTS OF ALL GRADES INCLUDING PUBLIC PROSECUTORS KILLED OR WOUNDED BY TERRORISTS IN BENGAL FROM 1908 TO DATE.

A—Killed.

1908-1915.

1. Sub-inspector Nanda Lal Banarji, Calcutta.
2. Khan Bahadur Shamsul Alam, Calcutta.
3. Head constable Srish Chandra Chakravartti, Calcutta.
4. Head constable Haripada Deb, Calcutta.
5. Inspector Nripendra Nath Ghosh, Calcutta.
6. Head constable Ram Bhajan Singh, Calcutta.
7. Sub-inspector Suresh Mukherji, Calcutta.
8. Sub-inspector Girindra Banarji, Calcutta.
9. Constable Kalap Nath Pattak, Calcutta.
10. Constable Bahadur Singh, orderly to Rai Sahib Nanda Kumar Bose, Additional Superintendent of Police, Rangpur.
11. Constable Jogendra Nath De, of Nadia district.
12. Inspector Monomohan Ghosh, Barisal.
13. Babu Ashutosh Biswas, Public Prosecutor, 24-Parganas.
14. Babu Jatindra Mohan Ghose, Deputy Superintendent of Police (Mymensingh).
15. Sub-inspector Bankim Chandra Chaudhuri, of Mymensingh.
16. Sub-inspector Rajkumar Ray, of Mymensingh.
17. Babu Sarat Chandra Bose, Head Master, Comilla Zilla School.
18. Assistant sub-inspector Rati Lal Roy, of Dacca district.

1916-1919.

1. Sub-inspector Madhu Sudan Bhattacharji, Calcutta.
2. Deputy Superintendent of Police B. K. Chatarji.
3. Head constable Bilash Ghosh, Calcutta.

A—Killed.

1916-1919.

4. Sub-inspector Haridas Maitra, of Bogra D. I. B.
5. Babu Nabin Chandra Bose, Head Master, Malda Zilla School.
6. Constable Prasanna Nandi, of Mymensingh.
7. Head constable Surendra Kumar Mukharji, of Dacca district.
8. Head constable Rohini Kumar Mukharji, of Dacca district.
9. Head constable Pati Ram Singh.

1920-1924.

1. Amrita Lal Roy, Postmaster, Sankaritola Post Office.
2. Sub-inspector Prafulla Kumar Roy, of Chittagong district.

1925-1929.

1. Rai B. N. Chatarji Bahadur.
2. Babu Jyotish Chandra Roy, officer-in-charge, Kotwali police-station, Barisal.

1930-1933.

1. Bhaja Hari, P. W. D. chaprassi.
2. Lt.-Col. Simpson, I.M.S.
3. Constable Prasanna Kumar Barua, of Chittagong district.
4. Constable Ramani Mohan Chakrabartti, of Chittagong district.
5. Sergeant-Major Farell, of A.-B. Railway Battalion, Chittagong.
6. Inspector Tarini Kumar Mukharji, of Railway Police, Chandpur.
7. Mr. F. J. Lowman, I.P., Inspector-General of Police, Bengal.
8. Shaikh Tahsildar, Postman, Belliaghatta Post Office.
9. Chaukidar Entajuddin, of Singha police-station (district Bakarganj).
10. Mr. J. Peddie, I.C.S., District Magistrate, Midnapore.
11. Mr. R. Douglas, I.C.S., District Magistrate, Midnapore.
12. Mr. B. E. J. Burge, I.C.S., District Magistrate, Midnapore.
13. Mr. R. R. Garlick, I.C.S., District and Sessions Judge, 24-Parganas.
14. Inspector Khan Bahadur Ashanulla, of Chittagong.

A—Killed.

1930-1933.

15. Captain Cameron, 2nd Battalion, 8th Gurkha Rifles (Chittagong).
16. Mr. C. G. B. Stevens, I.C.S., District Magistrate, Tippera.
17. Mr. E. B. Ellison, I.P., Additional Superintendent of Police, Tippera.
18. Babu Kamakshya Prosad Sen, Sub-Deputy Magistrate (Dacca district).
19. Kali Charan Mahali, postal peon killed at Hili Station.

B—Injured.

1908-1915.

1. Mr. Allen, District Magistrate, Mymensingh.

1908-1915.

2. Inspector Sarat Chandra Ghosh (Dacca).
3. Head constable Pati Ram Singh, of Dacca district.
4. Sub-inspector Basanta Kumar Mukharji, of Dacca district.
5. Sub-inspector Prafulla Kumar Biswas, of Dacca district.
6. Constable Sew Prosad Kahar, Calcutta.

1916-1919.

Nil.

1920-1924.

Nil.

1925-1929.

1. Constable Bir Mohan Barua, of Chittagong district.
2. Lt.-Col. O'Brien, I.M.S., beaten by detenu with a baton in Mymensingh Jail while on rounds.

1930-1933.

1. Sub-inspector Nakuleswar Mukharji, of Khulna.
2. Head constable Jadu Nath Singh, of Khulna.
3. Mr. J. M. Talukdar, I.C.S., Subdivisional Officer, Patuakhali (Bakarganj).
4. Sub-inspector Abdur Rashid, of Patuakhali (Bakarganj).

B—Injured.

1930-1933.

5. Subedar Ram Binay Singh (at Patuakhali) (Bakarganj).
6. Sub-inspector Mobarak Ali Bhuiya (at Patuakhali) (Bakarganj).
7. Mr. A. Cassells, C.I.E., Commissioner, Dacca Division.
8. Inspector Hem Chandra Ukil, of Mymensingh.
9. Sub-inspector Amiya Kanta Bose, of Mymensingh.
10. Sub-inspector Jatindra Mohan Ray, of Noakhali district.
11. Constable Manindra Nath Pal, of Noakhali district.
12. Constable Yakub Ali, of Noakhali district.
13. Assistant sub-inspector Sasanka Mohan Bhattacharji, of Chittagong district.
14. Inspector P. R. Macdonald, of Chittagong district.
15. Sergeant H. Willis, Chittagong.
16. Mr. E. Hodson, I.P., Superintendent of Police, Dacca.
17. Babu Kali Prosad Banarji, Certificate Clerk, Court of Wards estate, Dacca.
18. Constable Deo Raj Ram, of Dacca district.
19. Constable Jamadar Singh, of Dacca district.
20. Mr. L. G. Durno, I.C.S., District Magistrate, Dacca.
21. Sergeant Bourne, of Dacca.
22. Constable Solaiman Khan, of Dacca district.
23. Mr. C. G. Grassby, I.P., Additional Superintendent of Police, Dacca.
24. Constable Malu Mia, of Dacca district.
25. Certain railway employees wounded at Hili Station dacoity.
26. Mr. C. W. A. Luke, Superintendent, Rajshahi Central Jail.
27. Constable Suba Khan, driver of Sir Charles Tegart.
28. Bhuban Pande, P.W.D. chaprassi.
29. Mr. J. W. Nelson, I.C.S.
30. Mr. H. P. V. Townend, I.C.S.
31. Constable Shariff Khan.
32. Inspector Mukunda Bhattacharji, Calcutta.

1934.

1. Mr. M. F. Cleary, I.P., Superintendent of Police, Chittagong.
2. Head constable Ram Dip Singh, of Chittagong district.

II.

STATEMENT SHOWING THE NAMES OF GOVERNMENT SERVANTS INCLUDING PUBLIC PROSECUTORS, (A) KILLED OR (B) WOUNDED WHILE DEALING WITH THE NON-CO-OPERATION MOVEMENT.

A—Killed.

1920-1922.

1. One constable killed in Khilafat riots (Howrah district).

1930-1933.

1. Assistant sub-inspector Imanulla, of Kotwali police-station (Mymensingh district).
2. Constable Bhumiram Jaishi, of Malda district (rising of Santhals at Adina Mosque).
3. Sub-inspector Bhola Nath Ghosh, of Midnapore district.
4. Sub-inspector Anirdudhya Samanta, of Midnapore district.

B—Injured.

1920-1922.

1. Head constable Delbir Thapa, of Fulchari police-station, district Rangpur.
2. A. S. Larkin, I.C.S., in Khilafat riots in Howrah.
3. Four constables, in Khilafat riots in Howrah.
4. Sub-inspector Harish Chandra Sen, with five constables in Tippera district.
5. Sub-inspector Ananga Mohan Deb (with some constables), of Tippera district.
6. Constables Ibrahim Ali and Raghunath Singh, of Tippera district.
7. An escort party of Tippera district severely beaten (names not available as records destroyed).
8. Sub-inspector Golam Hossain, of Tippera.

1930-1933.

1. Constable Dhanman Singh, attached to Barjora police-station, district Bankura.
2. Constable Raghunath Singh, of Sonamukhi police-station, district Bankura.
3. Sub-inspector Kali Das Datta, of Nadia district.

B—Injured.

1930-1933.

4. Constable Chandrama Singh, of Nadia district.
5. Constable Mosafir Singh, of Nadia district.
6. Constable Lalji Tewari, of Nadia district.
7. Constable Baran Das Tewari, of Nadia district.
8. Sub-inspector Anil Ratan Banarji, of Khulna district.
9. Sub-inspector Jatindra Mohan Chakrabartti, of Khulna district.
10. Constable Mir Wareshali, of Khulna district.
11. Constable Bahashkar Dikhit, of Khulna district.
12. Constable Hara Ballav Singh, of Khulna district.
13. Constable Sup Karan Singh, of Khulna district.
14. Constable Bhabuneswar Kuar, of Khulna district.
15. Constable Banka Bhakat, of Khulna district.
16. Constable Sukdev Tewari, of Khulna district.
17. Constable Abdul Hamid Sardar, of Khulna district.
18. Mr. A. J. Kennedy, I.P., Superintendent of Police, Bogra.
19. Reserve Inspector Raja Sagar Khan, of Bogra.
20. Sub-Inspector Muhammad Yakub, of Bogra district.
21. Constable Banarashi Kuar, of Bogra district.
22. Assistant sub-inspector Shaikh Nasiruddin, of Bogra district.
23. Assistant sub-inspector Sayedali Ahmed, of Hooghly district.
24. Head constable Jagadish Dobey, of Hooghly district.
25. Constable Ramdhari Singha, of Hooghly district.
26. Constable Brich Thakur, of Hooghly district.
27. Constable Gangadhin Kurmi, of Hooghly district.
28. Constable Mahadeo Upadhyaya, of Hooghly district.
29. Constable Ram Kishore Ram, of Hooghly district.
30. Constable Lokenath Roy, of Hooghly district.
31. Constable Sital Prosad Thakur, of Hooghly district.
32. Constable Muhammad Habib Khan, of Hooghly district.
33. Constable Dharma Sinha, of Hooghly district.
34. Constable Muhammad Hossain, of Hooghly district.
35. Constable Ramapati Missir, of Hooghly district.
36. Mr. E. E. English, I.P., Superintendent of Police, Howrah.
37. Sergeant J. W. Lewis, of Howrah district.

B—Injured.

1930-1933.

38. Mr. Ramgati Banarji, I.P., of 24-Parg.....
39. Excise Inspector Maulvi Azizur Rahman, of 24-Parganas district.
40. Head constable Suraj Pal Singh, of 24-Parganas district.
41. Constable Ram Lakhan Singh, of 24-Parganas district.
42. Constable Bejgirir Singh, of 24-Parganas district.
43. Constable Ram Bahal Singh, of 24-Parganas district.
44. Constable Satyanarayan Missir, of 24-Parganas district.
45. Constable Ramananda Singh, of 24-Parganas district.
46. Head constable Bansdeo Singh, of 24-Parganas district.
47. Constable Rajani Konta Das, of 24-Parganas district.
48. Assistant sub-inspector Ashutosh Ghosh, of 24-Parganas district.
49. Assistant sub-inspector Surendra Nath Roy, of 24-Parganas district.
50. Excise sub-inspector Phani Bhusan Mukharji, of 24-Parganas district.
51. Excise sub-inspector Surendra Nath Roy, of 24-Parganas district.
52. Sub-inspector Basata Kumar Bose, of 24-Parganas district.
53. Constable Chandrapal Singh, of 24-Parganas district.
54. Constable Jamuna Singh, of 24-Parganas district.
55. Constable Kuldwip Pandey, of 24-Parganas district.
56. Sub-inspector Abinash Chandra Mukharji, of Jessore district.
57. Officiating sub-inspector Golam Haider, of Jessore district.
58. Head constable Bhagabat Pandey, of Jessore district.
59. Constable No. 295, Shhabuddin, of Hooghly district.
60. Constable Lal Mohan Chaudhuri, of Faridpur.
61. Five constables injured in Sonamukhi town in Bankura district during the arrest of Krishna Chandra under section 21 of Ordinance II.
62. Four policemen, part of an escort injured by stone-throwing in Bankura district.
63. Sub-inspector Sushil Kumar Bakshi, of Nadia district.
64. Assistant sub-inspector Kazi Khoda Bakash, of Nadia district.
65. Assistant sub-inspector Muhammad Alauddin, of Nadia district.
66. Constable Abdul Hossain, of Nadia district.

B—Injured.

1930-1933.

67. Constable Hari Kissen Singh, of Nadia district.
68. Constable Dal Singh Upadhya, of Nadia district.
69. Constable Brahma Singh, of Nadia district.
70. Constable Gobardhan Bhakat, of Nadia district.
71. Constable Phani Bhusan Manjhi, of Nadia district.
72. Constable Lalchand Ojha, of Nadia district.
73. Constable Mujibar Rahman, of Nadia district.
74. Constable Sudhir Kumar Bhattacharji, of Nadia district.
75. Constable Prafulla Kumar Adhikari, of Nadia district.
76. Mr. N. K. Roy Choudhuri, I.C.S., Subdivisional Officer, Meherpur.
77. Sub-inspector Dhirendra Nath Roy, of Nadia district.
78. Head constable Mukhram Choubey, of Nadia district.
79. Head constable Pitambar Singh, of Nadia district.
80. Constable Rajbali Chaudhuri, of Nadia district.
81. Constable Rahimuddin Khan, of Nadia district.
82. Constable Ramnaresh Singh, of Nadia district.
83. Constable Debnarayan Singh, of Nadia district.
84. Constable Ramasis Singh, of Nadia district.
85. Constable Girija Singh, of Nadia district.
86. Constable Kadam Rasul, of Nadia district.
87. Constable Giridhari Roy, of Nadia district.
88. Maulvi Asad Hossain, Circle Officer, Labpur, Birbhum.
89. Sub-inspector Sarifulla Khan, of Hooghly district.
90. Sub-inspector Aditya Nath Bhowmik, of Hooghly district.
91. Head constable Ramparai Singha, of Hooghly district.
92. Sub-inspector Saiduddin Ahmad, of Hooghly district.
93. Assistant sub-inspector Marendra Kumar Sen, of Hooghly district.
94. Head constable Ram Udai Singh, of Hooghly district.
95. Constable Pradip Singh, of Hooghly district.
96. Constable Ramprosad Dobey, of Hooghly district.
97. Constable Sarafat Hossain Khan, of Hooghly district.
98. Constable Rameswai Singh, of Hooghly district.
99. Constable Iswar Dutta Sukul, of Hooghly district.
100. Constable Sahabuddin Chaudhuri, of Hooghly district.

B—Injured.

1930-1933.

101. Constable Rajaram Singh, of Hooghly district.
102. Sub-inspector Narendra Nath Guha, of Jalpaiguri district.
103. Constable Bhadra Singh, of Jalpaiguri district.
104. Sub-inspector Dwipendra Nath Das Gupta, of Midnapore district.
105. Sub-inspector Atul Krishna Mazumdar, of Midnapore district.
106. Sub-inspector Jnanendra Nath Tewary, of Midnapore district.
107. Sub-inspector Harendra Nath Mallik, of Midnapore district.
108. Assistant sub-inspector Girija Kanta Bhattacharji, of Midnapore district.
109. Assistant sub-inspector Baizuddin Khandkar, of Midnapore district.
110. Assistant sub-inspector Jogesh Chandra Biswas, of Midnapore district.
111. Head constable Ramprosad Missir, of Midnapore district.
112. Head constable Gouri Sankar Ojha, of Midnapore district.
113. Constable Saluka Ho, of Midnapore district.
114. Constable Mocca Ho, of Midnapore district.
115. Constable Ramdas Tewari, of Midnapore district.
116. Constable Kalia Singh, of Midnapore district.
117. Constable Mahesh Singh, of Midnapore district.
118. Constable Dukhit Ram, of Midnapore district.
119. Constable Washed Ali, of Midnapore district.
120. Constable Bhola Roy, of Midnapore district.
121. Constable Amerali Sardar, of Midnapore district.
122. Constable Abdul Kalam Khan, of Midnapore district.
123. Constable Shashadat Ali Biswas, of Midnapore district.
124. Constable Rajendra Singh, of Midnapore district.
125. Constable Hamzad Ali, of Midnapore district.
126. Constable Ram Chabita Singh, of Midnapore district.
127. Constable Manvaram Missir, of Midnapore district.
128. Constable Shyamapada Ghose, of Midnapore district.
129. Constable Kashemali Sarif, of Midnapore district.
130. Constable Bachan Thakur, of Midnapore district.
131. Constable Sk. Momin, of Midnapore district.
132. Constable Mohesh Singh, of Midnapore district.

B—Injured.

1930-1933.

133. Constable Oli Mohammad, of Midnapore district.
134. Constable Sheo Bachan Ram, of Midnapore district.
135. Constable Anupi Mahata, of Midnapore district.
136. Constable Shyam Charan Biswas, of Midnapore district.
137. Constable Debendra Jana, of Midnapore district.
138. Three constables (names not available), of Midnapore district.
139. Constable Kalipada Singh, of Midnapore district.
140. Five constables (names not available), of Midnapore district.
141. Constable Sora Singh, of Midnapore district.
142. Constable Dal Bahadur Sonar, of Malda (rising of Santhals at Adina Mosque).
143. Constable Mahesh Dutt Tewari, of 24-Parganas district.
144. Constable Ramkripal Singh, of 24-Parganas district.
145. Constable Sew Govind Singh, of 24-Parganas district.
146. Sub-inspector Hari Nath Chandra, of Dacca district.
147. Sub-inspector K. H. Reza, Calcutta.
148. Sergeant Davis, Calcutta.
149. Sergeant F. Bran, Calcutta.
150. Sergeant Kinchin, Calcutta.
151. Head constable Md. Yakub Khan, Calcutta.
152. Sergeant Palut, Calcutta.
153. Sergeant Ford, Calcutta.
154. Inspector Davies, Calcutta.
155. Sergeant Williamson, Calcutta.
156. Sergeant Trainer, Calcutta.
157. Sergeant Fairborn, Calcutta.
158. Sergeant Spier, Calcutta.
159. Constable Badsha Khan, Calcutta.
160. Sub-inspector P. K. Chatarji, Calcutta.
161. Sergeant Karshaw, Calcutta.
162. Inspector G. S. Roy, Calcutta.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble ember be pleased to state whether any compensation has been granted all these cases?

The Hon'ble Mr. R. N. REID: No. Compensation has not been anted.

Mr. SHANTI SHEKHARESWAR RAY: With reference to statement marked B, will the Hon'ble Member be pleased to state whether these were the cases of simple hurt or serious hurt?

The Hon'ble Mr. R. N. REID: Sir, I am quite unable to give an answer to this question.

High school for Muslim girls in Calcutta.

***183. Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps, if any, have the Government hitherto taken for establishing a high English school in Calcutta for the education of Muslim girls?

(*b*) Does the Hon'ble Minister remember the hope he gave in this Council on more occasions than one in regard to this matter?

(*c*) Has the Director of Public Instruction submitted any scheme for the establishment of such a school?

(*d*) If the answer to (*c*) is in the negative, what are the reasons for the delay?

(*e*) What is the total annual grant, if any, made by Government to Muslim Girls' high English schools in Calcutta?

(*f*) What is the average annual expenditure incurred by Government for the maintenance of the Bethune School taking the figures of the last five years?

(*g*) Are Muslim girls eligible for admission into the Bethune School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*), (*b*), (*c*) and (*d*) A scheme for the establishment of such a school has been submitted by the Director of Public Instruction to Government, and is now under their consideration.

(*e*) Government gives annually the sum of Rs. 14,520 to one Muslim high school for girls in Calcutta.

(*f*) Rs. 12,873. This being the average gross expenditure less the average fee receipts.

(*g*) No, according to Government's present information.

Maulvi TAMIZUDDIN KHAN: Did the Director of Public Instruction submit a scheme?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Very recently.

Maulvi TAMIZUDDIN KHAN: When are the Government likely o prophesy.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is very dangerous o prophesy.

Mr. P. N. GUHA: With regard to Muslim girls' school may I sk whether the girls of other communities also are admitted into this chool or is it only meant for Muslim girls?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Khan Bahadur MUHAMMAD ABDUL MOMIN: With reference o (*g*), will the Hon'ble Minister please state why Muslim girls are ot eligible for admission into the Bethune School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: According to the rust deed only Hindu girls are admitted. We sought the opinion of he Advocate-General on this matter and we were so advised.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it a fact that he trust deed contents mentioned is intended for Hindu girls and is t for that reason that Government hold that only girls professing Hindu religion are admitted?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is the Hon'ble Minister aware that the word "Hindu" has got a wider meaning - mbraces the people of Hindusthan?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have said that we ave been advised by our legal expert in this matter.

Mr. NARENDRA KUMAR BASU: Is it not a fact that several Muhammadan girls have received education in Bethune College?

Mr. PRESIDENT: The question has reference to Bethune School nd not to the Bethune College.

Khan Bahadur MUHAMMAD ABDUL MOMIN: May I draw the Hon'ble Minister's attention to the well-known lines of *Hafiz* in which it is stated that the Hindus are those who live on the other side of the Indus.

(No reply was given.)

Khan Bahadur Maulvi AZIZUL HAQUE: Does the Hon'ble Minister propose to publish the trust deed for general information?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: We never have thought of that.

Khan Bahadur Maulvi AZIZUL HAQUE: May I suggest that the Hon'ble Minister should publish the trust deed so that the question may be examined by others besides the Advocate-General?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: We do not propose to publish it.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it open for Government to go to the High Court for a declaration of the meaning of the contents of the trust deed?

(No reply was given.)

Maulvi SYED MAJID BAKSH: Is the Hon'ble Minister aware that Mr. Bethune was an American?

(No reply was given.)

Babu HEM CHANDRA ROY CHOUDHURI: What is the number of Muslim girls receiving education in this Muslim Girls' High English School in Calcutta?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Mr. SHANTI SHEKHARESWAR RAY: Is the Hon'ble Minister aware that no Muhammadan girls have applied for admission into the Bethune School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether the non-Muslim girls as distinct from the Hindu girls are admitted into the Bethune School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Brahmo girls are admitted.

Recruitment of ministerial officers in Faridpur and Rajshahi district offices.

*184. **Rai Sahib SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to lay on the table a statement showing for the year 1933—

(*i*) the names, qualifications, and castes of persons recruited in ministerial services by the District Magistrates and District Judges of Faridpur and Rajshahi respectively; and

(*ii*) the steps taken by such officers to advertise such vacancies for the information of the public?

(*b*) Is it a fact that it was stated in the advertisement that certain vacancies are to be filled up by candidates belonging to a particular community?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the number of candidates who submitted petitions from each of the communities?

(*d*) Is the Hon'ble Member aware that the district authorities of Rajshahi advertised to recruit one ministerial officer from the depressed or backward classes in the year 1933?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the names and number of such candidates who applied for the post?

(*f*) Is it a fact that the depressed class candidate who applied for the post has not been recruited?

(*g*) If so, what are the reasons for not selecting him?

(*h*) Have the Government considered that non-compliance with the assurance given in the advertisement to recruit candidates belonging to the depressed or backward classes in ministerial services may adversely affect encouragement of education amongst such classes and goes against the spirit of the memorandum issued by the Bengal Government to recruit such classes in ministerial services?

(*i*) What steps do the Government intend taking to give effect to the spirit of the above memorandum?

(*j*) Is the Hon'ble Member aware that even non-matrics have been recruited in ministerial services in recent years?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. R. N. Reid): (*a*), (*b*) and (*c*) A statement is laid on the library table giving the information required.

(*d*) No.

(*e*), (*f*), (*g*) and (*h*) The questions do not arise.

(*i*) The attention of the local officers is drawn to the rules when necessary.

(*j*) No.

Travelling allowance drawn by Jurors in Sessions Courts.

***185. Rai Bahadur KESHAB CHANDRA BANERJI:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware—

(*i*) that hardship is caused to the jurors in Sessions Courts owing to the unsatisfactory Travelling Allowance Rules now in force;

(*ii*) the expenses of defence witnesses when not examined are withheld even when they are present in Court?

(*b*) What amount is paid to each juror as halting allowance per diem?

(*c*) Is the Hon'ble Member aware—

(*i*) that no halting allowances are paid for the first and the last day of attendance;

(*ii*) the jurors who come from *mufassal* have to stay in the town and incur the same expenses as on other intermediate days?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) under what rule such allowances are not paid; and

(*ii*) whether the revision of the existing rules is in contemplation?

Mr. N. C. A. EDGLEY: (*a*) (*i*) No such general complaint has been received by Government.

(*ii*) Yes, unless the Judge considers that if they had been examined, they would have been in a position to give relevant and material evidence or that there are special circumstances to justify the payment of their expenses.

(*b*) and (*d*) (*i*) Payments to jurors are made in accordance with notification No. 4666 J., dated the 9th June, 1932, a copy of which is laid on the library table.

(*c*) (*i*) Yes.

(*ii*) No.

(*d*) (*ii*) No

Khan Bahadur Maulvi AZIZUL HAQUE: Is it a fact that the udges issue summons and after the witnesses have turned up by incurng expenditure the question whether their evidence would be taken considered by the Judge while all the time the witnesses are kept aiting?

Mr. N. C. A. EDGLEY: I want notice.

Khan Bahadur Maulvi AZIZUL HAQUE: Are the Government onsidering the advisability of suggesting to the Judges to consider his point before the witnesses are summoned?

Mr. N. C. A. EDGLEY: The question has not yet been condered.

Mr. NARENDRA KUMAR BASU: With reference to (*ii*), whether he same considerations apply to witnesses cited by the prosecution?

Mr. N. C. A. EDGLEY: I want notice.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Ashanullah School of Engineering, Dacca.

65. Maulvi ABDUL GHANI CHOWDHURY: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) who is responsible for the inadvertence through which the four junior mistries of the Ashanullah School of Engineering, Dacca, were treated as having been permanently appointed in spite of the policy of the Government to keep the mistry staff on a temporary basis since 1917;

(*ii*) when for the first time the Government became aware of such inadvertence;

(*iii*) when the Government acquiesced therein;

(*iv*) for how long such inadvertence continued; and

(*v*) whether the Government held any inquiry into the cause of such inadvertence?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) It is not possible after this lapse of time to fix the responsibility.

(*ii*), (*iii*) and (*iv*) The whole matter turns upon the interpretation o be placed upon certain correspondence. It was in 1929 that it was

first recognised that a letter written in 1925 had inadvertently been couched in terms which committed Government to acquiescence in the treatment of these four mistries as permanent.

(*c*) As the correspondence shows, the inadvertence arose from failure to distinguish between the permanence of a post and the permanent status of the person holding it.

Id-ul-Fitr holiday in educational institutions.

66. Maulvi NUR RAHMAN KHAN EUSUFJI: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that on the last Id-ul-Fitr day on the 17th January, 1934, many Government educational institutions were not kept closed owing to the said holidays fixed by Government for the 18th and 19th January, 1934; and

(*ii*) that on account of this non-closure the Muslim students were put to great difficulty and hardship?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, do the Government contemplate taking to prevent a recurrence?

(*c*) Are the Government considering the desirability of taking steps for the cancellation of the lectures delivered in their educational institutions on the said Id-ul-Fitr day?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) No report to this effect has reached Government.

(*b*) Does not arise.

(*c*) No.

Jessore District Board Fund Special Audit.

67. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that he has ordered a special audit of the accounts of the Jessore District Fund?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased—

(*i*) to state the reasons that led to the said order;

(*ii*) to state the scope of the special audit;

(*iii*) to state the approximate costs for the special audit and wherefrom the said costs will be met; and

(*iv*) to lay on the table the correspondence that led to the order for the special audit?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) (*i*) The special audit was considered necessary as it was alleged that grants made to the Jessore district board from the Central Road Fund for the improvement of the Magura-Jhenidah Road had been diverted to purposes other than that for which they were sanctioned.

(*ii*) It is not desirable that particulars regarding the scope of the audit should be published in advance.

(*iii*) As the time which the auditor is likely to occupy cannot be foreseen at this stage, it is not possible at present to estimate the probable cost of the audit.

The source from which the cost of the special audit will be met will be settled after the information about the actual cost is received from the Accountant-General, Bengal.

(*iv*) No. The correspondence on the subject is confidential.

Maulvi TAMIZUDDIN KHAN: Was there any report from the District Magistrate regarding the alleged irregularities?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, there were.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to lay on the table the whole correspondence?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is confidential.

Maulvi TAMIZUDDIN KHAN: Is it a fact that the order for special audits was passed on the basis of a note published in the *Amrita Bazar Patrika*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No.

Recruitment of Muslims in the Secretariat and attached offices.

68. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Member in charge of the Finance Department please state whether the rules fixing the percentage of Muslim appointments in the ministerial establishment of the Bengal Secretariat are applicable to both permanent and temporary appointments?

(*b*) What is the present total number of permanent and temporary posts in the Chief Secretary's offices?

(*c*) How many of such posts are permanent and how many are temporary?

(*d*) How many of them are held by Hindus and Muslims respectively?

(*e*) Is it a fact that the number of temporary appointments held by Muslims in the Chief Secretary's office is proportionately less than that held by Muslims in the permanent establishment?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Member please state the reasons for the same?

(*g*) Is it a fact that there are ten upper division appointments in the Local Self-Government Department and that of these only two are held by Muslims?

(*h*) Is it a fact that under the rules for recruitment of ministerial officers in the Secretariat, till 33⅓ per cent. appointments are held by Muslims, in filling up vacancies, the claims of Mussalmans are to be considered in filling all vacancies?

(*i*) If the answer to (*h*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) whether there were any vacancies in the upper division in the Local Self-Government Department before and after the last Muslim appointment in the upper division of this department;

(*ii*) whether the claims of Mussalmans were considered in filling up these vacancies; and

(*iii*) whether the Appointment Department was approached by the Local Self-Government Department for a Muslim recruit? If not, why not?

(*j*) Is there any department or machinery set up by Government to see that the rules framed for the recruitment of officers for the ministerial service in the Secretariat and in the offices of Heads of Departments located in the Writers' Buildings are properly administered and given effect to?

(*k*) If the answer to (*j*) is in the affirmative, will the Hon'ble Member be pleased to state which department is entrusted with this function and what is the nature of that machinery?

(*l*) Is there any rule for the direct recruitment of Mussalmans in the upper division in the offices of the Heads of Departments located in the Writers' Buildings, as in the Secretariat offices?

(*m*) If the answer to (*l*) is in the negative, are the Government considering the desirability of making rules for the direct recruitment of Musalmans in the upper division in these offices, especially the Director of Public Instruction's office, as in the Secretariat offices?

The Hon'ble Mr. J. A. WOODHEAD: The information asked for in the question, which is of considerable length, is under collection and will be supplied to the hon'ble member as soon as possible.

Rural public health.

69. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing, district by district, for the last 5 years—

(*i*) the number of rural health circles;

(*ii*) the total expenditure on public health purposes;

(*iii*) the expenditure incurred on this account per head of population;

(*iv*) Government grants received by the district board, and expenditure incurred from the district board fund for—

(1) Rural health schemes,

(2) Vaccination inspecting staff,

(3) Free vaccination,

(4) Kala-azar centres,

(5) Anti-malarial works,

(6) Water-supply,

(7) Quinine distribution;

(*v*) the income of the district boards from fines in food adulteration cases; and

(*vi*) the income of district boards from vaccination cases?

(*b*) Have the Government any definite scheme to open a public health laboratory at the headquarter station of each district to provide facilities for conducting food analysis in a better and more systematic manner?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Statements giving such information as is readily available, are laid on the Library table.

(*b*) This is primarily the responsibility of the local bodies themselves.

Murshidabad municipality election.

70. Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state when the first general election to the Murshidabad municipality under the Bengal Municipal Act of 1932 will be held?

(*b*) Is it a fact that the dates for the new election had already been notified?

(*c*) If the answer to (*b*) is in the affirmative—

(*i*) when were the announcements made; and

(*ii*) what date was fixed in the notification?

(*d*) Is it a fact that the Commissioner of the Presidency Division intimated that the reconstitution of the municipaltiy cannot be effected during this financial year?

(*e*) If the answer to (*d*) is in the affirmative, what justification was there for the postponement of the election?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) During the next financial year.

(*b*) No.

(*c*) Does not arise.

(*d*) Yes.

(*e*) The necessary preliminaries in connection with the election could not be completed in time.

Election under the New Bengal Municipal Act.

71. Maulvi ABUL QUASEM: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) how many municipalities held general elections in March, 1933, under the new Bengal Municipal Act (Act XV of 1932);

(*ii*) how many of these municipalities have begun to function;

(*iii*) for how many of such municipalities nominations have not yet been gazetted;

(*iv*) the reason for the delay in publishing nominations;

(r) what steps are being taken to expedite the nominations; and

(*vi*) when the nominations are likely to be published?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*i*) 52.

(*ii*) It is regretted that time does not permit of information being collected in respect of all municipalities in which elections were held in March, 1933. But information received up to date shows that 12 municipalities have begun to function.

(*iii*) 4.

(*iv*) In the case of three municipalities the delay is due to failure of elections in certain wards, and in the case of one municipality the local officer's nominations were received on 16th March, 1934.

(*v*) and (*vi*) Fresh elections have been ordered in those municipalities where elections failed partially. Nominations in these cases will be published as soon as possible after the results of the fresh elections are known. The nominations received on the 15th March, 1934, will be published as soon as possible.

Maulvi ABUL QUASEM: Will the Hon'ble Minister be pleased to state why 40 out of 52 municipalities in which elections were held about a year ago under the new Act have not yet begun to function?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I would request the hon'ble member to read the answer more carefully. It is not suggested there that 40 municipalities have not functioned. It is said that we have got definite information regarding 12 municipalities only. It is just possible that out of them 48 are functioning now.

Maulvi ABUL QUASEM: Why cannot the Hon'ble Minister be definite as regards the other municipalities?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have said that we have not yet received information with regard to the rest

Maulvi ABUL QUASEM: Is it not a fact that Government nominations have been delayed excessively?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is not a fact.

Maulvi ABUL QUASEM: Will the Hon'ble Minister be pleased to state how many municipalities have not yet functioned owing to the delay in Government nomination?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government nominations have not yet been published with regard to 4 out of 52 reconstituted municipalities.

Maulvi ABUL QUASEM: In how many municipalities fresh elections have been ordered?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I think in two only.

Maulvi ABUL KASEM: On a point of order, Sir. About 16 days back I gave notice of three simple questions. Neither refusal nor answer has been given, and to-day is the last day of the session. May I know the reason?

Mr. PRESIDENT: It is a matter of opinion whether they were simple or not, but any way it is not a point of order.

Maulvi ABUL KASEM: If you will look at the papers you will see that they are very simple—

Mr. PRESIDENT: Order, order.

Secretaries and Executive Officers of district boards.

72. Maulvi ABUL QUASEM: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing—

(*i*) the names of the district boards in Bengal that have got (i) Secretaries and (ii) Executive Officers; and

(*ii*) the scale of pay of each such Secretary and Executive Officer?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*i*) and (*ii*) None of the district boards has got an Executive Officer. A list of district boards which maintain Secretaries together with the scale of pay in respect of each is given in the statement laid on the table.

Statement referred to in the reply to unstarred question No. 72.

Bakarganj district board—Rs. 250—10—330—15—450.

Birbhum district board—Rs. 100—5/1—150.

Midnapore district board—Rs. 200—10—250—5—275.

Burdwan district board—Rs. 165—5—185.

Howrah district board—Rs. 150—10—250.

24-Parganas district board—Rs. 250—10—400.

Dacca district board—Rs. 150—5—250.

Malaria in Faridpur.

73. Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the Faridpur district for the years 1930, 1931, 1932 and 1933—

(*i*) the number of deaths from malaria;

(*ii*) the number of malarial patients treated in the charitable dispensaries;

(*iii*) the number of malarial patients treated by the Rural Health staff;

(*iv*) the number of malarial patients treated in the Kala Azar centres;

(*v*) the number of malarial patients treated by the Anti-malarial Societies; and

(*vi*) the total number of malarial patients treated?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 73.

Year	Number of deaths from malaria.	Number of malarial patients treated— In charitable dispensaries and hospitals	By Rural Health staff	In kala-azar centres.	By anti-malarial societies.	Total number of malarial patients treated.
	(i)	(ii)	(iii)	(iv)	(v)	(vi)
1930 ..	18,028	44,153	4,930		Not available.	54,260
1931 ..	19,634	62,261	11,846	2,085		60,152
1932 ..	17,544	56,748	18,172	3,897		74,709
1933 ..	17,000 (to October).	78,034		7,841		

N.B.—The figures in column (v) have been obtained independently from those in columns (*ii*) to (*v*). There has not been time to reconcile the discrepancies.

District Engineers.

74. Maulvi SYED NAUSHER ALI: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing the total amount of travelling and halting allowance drawn by each of the District Engineers of Bengal in each of the five financial years 1928-29, 1929-30, 1930-31, 1931-32 and 1932-33?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table. This statement furnishes information in respect of District Engineers of 22 district boards. It is regretted that time did not permit of information being collected in respect of the remaining three District Engineers during this session.

Statement referred to in the reply to unstarred question No. 74.

Name of district board.	Amount of travelling and halting allowances drawn in the year.				
	1928-29.	1929-30.	1930-31.	1931-32.	1932-33.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Burdwan ..	2,270 5 0	1,561 4 0	1,799 10 0	2,241 11 0	2,400 0 0
Birbhum ..	2,068 0 0	1,844 0 0	1,463 0 0	1,697 0 0	1,710 0 0
Bankura ..	1,585 2 0	943 10 0	1,413 4 0	1,614 1 0	1,325 6 0
Midnapore ..	2,478 0 0	1,660 10 0	1,625 3 0	1,873 6 0	1,831 4 0
Hooghly ..	1,314 15 0	1,443 1 0	1,647 7 0	1,458 14 0	1,460 5 0
Howrah ..	1,302 0 0	1,293 0 0	1,300 0 0	1,288 0 0	540 0 0
24-Parganas ..	2,478 0 0	3,257 0 0	2,878 0 0	2,175 0 0	1,805 0 0
Nadia ..	1,305 6 0	958 4 0	1,670 9 0	2,219 5 0	2,134 7 0
Murshidabad ..	1,800 0 0	1,800 0 0	1,800 0 0	1,468 6 0	1,231 2 0
Jessore ..	2,559 13 0	2,617 4 0	2,783 4 0	2,896 15 0	2,658 6 0
Dacca ..	1,045 0 0	1,316 0 0	1,020 0 0	812 0 0	475 0 0
Mymensingh ..	2,201 14 6	2,319 5 0	1,872 12 0	880 0 0	919 0 0
Faridpur ..	2,012 0 0	1,930 0 0	1,929 0 0	1,283 0 0	1,315 0 0
Bakarganj ..	648 0 0	725 0 0	1,399 0 0	2,052 0 0	1,794 0 0
Chittagong ..	569 2 0	1,950 5 0	1,161 14 0	767 9 0	536 1 0
Tippera .	1,621 12 0	1,488 6 0	1,826 10 0	1,319 8 0	1,647 10 0
Noakhali ..	745 11 0	688 11 0	791 7 0	741 12 0	782 6 0
Rajshahi ..	147 2 0	1,605 2 0	1,600 6 0	1,860 5 0	1,587 6 0
Dinajpur ..	2,130 3 0	2,002 2 0	1,290 1 0	2,007 9 0	1,891 6 0
Rangpur .	1,925 3 0	1,921 8 0	1,786 11 0	1,807 4 0	1,625 6 0
Bogra ..	914 3 0	1,234 0 6	1,047 3 6	1,685 10 9	1,431 15 6
Pabna ..	1,454 0 0	1,790 0 0	1,706 0 0	1,789 0 0	1,077 0 0

Chairmen and Vice-Chairmen of district boards.

75. Maulvi TAMIZUDDIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing—

(*i*) the names of the Chairmen and the Vice-Chairmen of the district boards in Bengal who held or have been holding office as such since 1st January, 1931, noting against the name of each, whether he is an official or non-official, and also the period for which since the said 1st January, 1931, he held or has been holding office as such;

(*ii*) the total amount of travelling and halting allowance drawn by each such non-official Chairman and Vice-Chairman for the three calendar years 1931, 1932 and 1933 or part thereof, for which he held office as the case may be;

(*iii*) the names of such non-official Chairmen or Vice-Chairmen, if any, who are resident of the headquarters of the district; and

(*iv*) the names of such non-official Chairmen or Vice-Chairmen, if any, who ordinarily reside outside the district?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether Chairmen and Vice-Chairmen not resident at the headquarters of the district are entitled under the existing rules to travelling allowance for journeys undertaken for the purposes of office work or to halting allowance for halts at the district headquarters for doing office work; and

(*ii*) whether Chairmen and Vice-Chairmen resident outside the district are entitled, under the existing rules, to travelling allowance for that part of the journey which falls outside the district but performed for the purposes of the district board; and

(*iii*) the names of the Chairmen of district boards who are at present members of the Provincial Road Board together with the total amount of travelling and halting allowances drawn by each of them as such member?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) A statement s laid on the table.

(*ii*) This information cannot be obtained unless special enquiries re made from district boards involving in the opinion of Government, disproportionate expenditure of time and energy for which they are ot prepared to ask.

(*iii*) A statement is laid on the table.

(*iv*) A statement is laid on the table.

(*b*) (*i*) and (*ii*) No.

(*iii*) (1) Rai Keshab Chandra Banerji Bahadur, M.L.C., Chairman, Dacca district board.

(2) Raja Moniloll Singh Roy, C.I.E., Chairman, Burdwan district oard.

(3) Khan Bahadur Jalaluddin Ahmed, Chairman, Chittagong district board.

(4) Maulvi Syed Nausher Ali, M.L.C., Chairman, Jessore district oard.

A statement showing the travelling allowances drawn by Road Board members who are Chairmen of district boards is laid on the table. M.L.Cs. who are given travelling allowance for attending meetings of the Legislative Council are not allowed separate travelling allowance for attending Road Board meetings.

Statement referred to in the reply to clause (a) (i) of unstarred question No. 75.

BURDWAN DIVISION.

Burdwan District Board.

Chairman (Non-official)—Raja Moniloll Singh Roy, C.I.E., from 1st January, 1931, to date.

Vice-Chairman (Non-official)—

Rai Tara Prasanna Mukherji Bahadur, C.I.E., from 1st January, 1931, to 10th May, 1933.

Babu Harakali Pan, M.A., B.L., Non-official—from 27th May, 1933, to 28th July, 1933.

Babu Radha Gobinda Hati, Advocate, Non-official—from 29th July, 1933 to date.

Birbhum District Board.

Chairman (Non-official)—Rai A. C. Banerji Bahadur, from 1st January, 1931, up to date.

Vice-Chairman (Non-official)—Rai Nirmalshib Banerji Bahadur, from 1st January, 1931, to date.

Bankura District Board.

Chairman (Official)—

(*a*) Rai Bahadur J. M. Banerji, District Magistrate, from before 1st January, 1931, to 3rd April, 1932.

(*b*) S. K. Das Gupta, Esq., District Magistrate, from 3rd April, 1932, to 17th May, 1932.

(*c*) Rai Bahadur A. C. Dutt (District Magistrate), from 17th May, 1932, to 23rd November, 1932.

(*d*) E. W. Holland, Esq., I.C.S., District Magistrate, from 25th November, 1932, to 12th June, 1933.

(*e*) Rai Bahadur N. C. Bose, District Magistrate, from 12th June, 1933, to 25th June, 1933.

(*f*) E. W. Holland, Esq., I.C.S., District Magistrate, from 25th June, 1933, to 25th November, 1933.

BURDWAN DIVISION.

Bankura District Board.

(*g*) Rai Bahadur N. C. Bose, District Magistrate, from 25th November, 1933, to 15th December, 1933.

(*h*) E. W. Holland, Esq., I.C.S., District Magistrate, from 15th December, 1933, to 9th March, 1934.

(*i*) Rai Bahadur N. C. Bose, District Magistrate, from 9th March, 1934, to 14th March, 1934.

(*j*) T. C. Roy, Esq., District Magistrate, from 14th March, 1934.

Vice-Chairman (Non-official)—Babu Debendra Nath Goswami, B.L., from before 1st January, 1931, up to date.

Midnapore District Board.

Chairman (Official)—

(1) Mr. J. Peddie, C.I.E., I.C.S., District Magistrate, Midnapore, from 1st January, 1931 to 7th April, 1931.

(2) Mr. F. C. French, I.C.S., District Magistrate, Midnapore, from 10th April, 1931 to 10th June, 1931.

(3) Mr. R. Douglas, I.C.S., District Magistrate, Midnapore, from 11th June, 1931 to 30th April, 1932.

(4) Mr. B. E. J. Burge, I.C.S., District Magistrate, Midnapore, from 5th May, 1932 to 2nd September, 1933.

(5) Mr. S. K. Basu, I.C.S., District Magistrate, Midnapore, from 14th September, 1933 to 9th October, 1933.

(6) Mr. P. J. Griffiths, I.C.S., District Magistrate, Midnapore, from 10th October, 1933 to 3rd December, 1933.

(7) Mr. H. S. E. Stevens, I.C.S., District Magistrate, Midnapore, from 4th December, 1933 up to date.

Vice-Chairman (Non-official)—Rai Sambhu Chandra Dutt Bahadur, from 1st January, 1931 to date.

Hooghly District Board.

Chairman (Non-official)—

(1) Rai Bahadur Satish Chandra Mukherji, B.L., from 1st January, 1931 to 13th February, 1931.

(2) Mr. Tarak Nath Mukherji, from 14th February, 1931 to date.

Vice-Chairman (Non-official)—

(1) Mr. Tarak Nath Mukherji, B.Sc., from 1st January, 1931 to 13th February 1931.

(2) Mr. Kanai Lal Gossain, from 14th February, 1931 to date.

BURDWAN DIVISION.

Howrah District Board.

Chairman (Non-official)—Babu Pundarikaksha Roy, B.L., from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Babu Charu Chandra Pal, from 1st January, 1931 to date.

PRESIDENCY DIVISION.

Jessore District Board.

Chairman (Non-official)—Maulvi Syed Nausher Ali, B.L., from 1st January, 1931 up to date.

Vice-Chairman (Non-official)—

(1) Maulvi Syed Abdus Rauf, B.L., from 1st January, 1931 to date.

(2) Babu Rasik Lal Biswas, B.L., Vice-Chairman, No. II, since 14th February, 1933.

Khulna District Board.

Chairman (Non-official)—Rai Jatindra Nath Ghosh Bahadur, from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Babu Mahendra Kumar Ghose, from 1st January, 1931 to date.

24-Parganas District Board.

Chairman (Non-official)—Rai Jogesh Chandra Sen Bahadur, J.P., M.L.C., from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Babu Anukul Chandra Das, M.A., B.L., from 1st January, 1931 to date.

Nadia District Board.

Chairman (Non-official)—Rai Nagendra Nath Mukherji Bahadur, from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Khan Bahadur Maulvi Azizul Haque, B.L., M.L.C., from 1st January, 1931 to date.

(Both Chairman and Vice-Chairman are holding office for about last 8 years.)

Murshidabad District Board.

Chairman (Non-official)—Rai Surendra Narayan Sinha, from 1st January, 1931 to date.

PRESIDENCY DIVISION.

Murshidabad District Board.

Vice-Chairman (Non-official)—

(1) Maulvi Abdus Samed, B.L., M.L.C., from 1st January, 1931 to 30th January, 1933.

(2) Khan Bahadur Maulvi Ekramul Haq, B.L., from 4th January, 1933 to date.

DACCA DIVISION.

Dacca District Board.

Chairman (Non-official)—

Rai Keshab Chandra Banerji Bahadur, M.L.C., from 1st January, 1931 to 11th December, 1933.

Mr. K. Sahabuddin, from 12th December, 1933 to date.

Vice-Chairman—

(1) Mr. K. Sahabuddin, from 1st January, 1931 to 18th March, 1932.

(2) Mr. Abdus Salim, from 27th June, 1932 to 11th December, 1933.

(3) Babu Amulya Ratan Guha, from 12th December, 1933 to date (Non-official).

Mymensingh District Board.

Chairman—

(1) H. Graham, Esq., I.C.S., C.I.E. (Official), from 1st January, 1931 to 3rd September, 1931 and from 24th November, 1931 to 13th December 1932.

(2) Mr. S. C. Ghatak, Rai Bahadur, M.A. (Official), from 4th September, 1931 to 23rd November 1931.

(3) Khan Bahadur Maulvi Sharfuddin Ahmed, B.L. (Non-official), from 14th December, 1933 to date.

Vice-Chairman (Non-official)—

(1) Rai Bahadur Umesh Chandra Chakladar, from 1st January, 1931 to 13th December, 1932.

(2) Khan Sahib Maulvi Abdul Hamid Choudhury, from 14th December, 1932 to date.

Faridpur District Board.

Chairman (Non-official)—Maulvi Alimuzzaman Choudhury, M.L.C., since 1st January, 1931 to date.

DACCA DIVISION.

Faridpur District Board.

Vice-Chairman (Non-official)—

(1) Rai Sahib Akshoy Kumar Sen, M.L.C., from 1st January, 1931 to 22nd May, 1932.

(2) Choudhury Shamsuddin Ahmed, from 23rd May, 1932 to date.

Bakarganj District Board.

Chairman (Non-official)—

(1) Mr. Syed Muhammad Hussain, 8 months and 14 days up to date of his death on 14th November, 1931.

(From 15th November, 1931 to 16th December, 1932 there was no Chairman.)

(2) Khan Bahadur Maulvi Hemayetuddin Ahmed, from 17th December, 1932 to date.

Vice-Chairman (Non-official)—

(1) Maulvi Abdul Wahab Khan*, one year 10 months and 25 days up to 25th November, 1932.

(2) Maulvi Mafizuddin Ahmed, from 26th November, 1932 to date.

*Also carried on the duties of the Chairman from 15th November, 1931 to 25th November, 1932.

CHITTAGONG DIVISION.

Chittagong District Board.

Chairman (Non-official)—Khan Bahadur Maulvi Jalaluddin Ahmed, from 1st January, 1931 up to date.

Vice-Chairman (Non-official)—Babu Khirod Chandra Roy, from 1st January, 1931 up to date.

Tippera District Board.

Chairman (Non-official)—Khan Bahadur Maulvi Abidur Reza Chaudhury, from 1st January, 1931 up to date.

Vice-Chairman (Non-official)—Maulvi Fariduddin Ahmed, from 1st January, 1931 up to date.

Noakhali District Board.

Chairman (Non-official)—Khan Bahadur Maulvi Abdul Gofran, from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Babu Nagendra Kumar Sur, from 1st January, 1931 to date.

RAJSHAHI DIVISION.

Rajshahi District Board.

Chairman (Non-official)—

(1) Mr. Birendra Nath Roy, from 1st January, 1931 to 3rd January, 1933.

(2) Kumar Protiva Nath Roy, from 4th January, 1933 to date.

Vice-Chairman (Non-official)—

(1) Rai Brojendra Mohan Mitra Bahadur, from 1st January, 1931 to 3rd January, 1933.

(2) Khan Sahib Maulvi Muhammad Basiruddin, M.L.C., from 4th January, 1933 to 17th March, 1933.

(3) Babu Suresh Chandra Chakravarty, from 18th March, 1933 to date.

Dinajpur District Board.

Chairman (Non-official)—Rai Sahib Jatindra Mohon Sen, from 1st January, 1931 to date.

Vice-Chairman (Non-official)—

(1) Late Maulvi Osman Ghani Choudhury, from 1st January, 1931 to 3rd April, 1933.

(2) Maulvi Nasiruddin Ahmed Choudhury, from 13th May, 1933 to date.

Jalpaiguri District Board.

Chairman (Non-official)—Rai Joy Gobinda Guha Bahadur, from 1st January, 1931 to date.

Vice-Chairman (Non-official)—Babu Bipulendra Nath Banerjee, from 1st January, 1931 to date.

Rangpur District Board.

Chairman (Non-official)—Rai Sarat Chandra Chatterjee Bahadur, from 1st January, 1931 to 10th November, 1933.

Vice-Chairman (Non-official)—

Khan Bahadur Maulvi Muhammad Asaf Khan, from 1st January, 1931 to 10th November, 1933.

Maulvi Shah Abdur Rauf, from 11th November, 1933 to date.

2nd Vice-Chairman (Non-official)—Maulvi Haji Tarabak Ali, from 11th November, 1933 to date.

RAJSHAHI DIVISION.

Bogra District Board.

Chairman (Non-official)—

Mr. Altaf Ali, from 1st January, 1931 to 20th June, 1933.

Khan Bahadur H. R. Choudhury, from 21st June, 1933 to date.

Vice-Chairman (Non-official)—

Dr. Jogendra Chandra Choudhury, from 1st January, 1931 to 20th June, 1933.

Dr. Mafizuddin Ahmed, from 21st June, 1933 to date.

Pabna District Board.

Chairman (Non-official)—

Maulvi A. M. Abdul Hamid, from 1st January, 1931 to 25th June, 1933.

Maulvi Abdur Raschid Mahmood, from 26th June, 1933 to date.

Vice-Chairman (Non-official)—

Maulvi Abdul Aziz Khan, from 1st January, 1931 to 25th June, 1933.

Babu Indujoyti Majumdar, from 26th June, 1933 to date.

Malda District Board.

Chairman (Non-official)—

Rai Bahadur Panchanan Majumdar, from 1st January, 1931 to 7th July, 1931.

Maulvi Zahar Ahmed Choudhury, from 8th July, 1931 to date.

Vice-Chairman (Non-official)—

Maulvi Reazuddin Ahmed, from 1st January, 1931 to 7th July, 1931.

Babu Promatha Nath Misra, from 20th July, 1931 to date.

Statement referred to in the reply to unstarred question No. 75 (a) (iii).

BURDWAN DIVISION.

Burdwan District Board.

Chairman—Raja Moniloll Singh Roy, C.I.E.

BURDWAN DIVISION.

Birbhum District Board.

Chairman—Rai A. C. Banerji Bahadur.

Bankura District Board.

Nil.

Midnapore District Board.

Nil.

Hooghly District Board.

Chairman—Mr. Tarak Nath Mukherji.

Vice-Chairman—Mr. Kanai Lall Gossain.

Howrah District Board.

Vice-Chairman—Babu Charu Chandra Paul.

PRESIDENCY DIVISION.

24-Parganas District Board.

Nil.

Nadia District Board.

Chairman—Rai Nagendra Nath Mukherji Bahadur.

Murshidabad District Board.

Chairman—Rai Surendra Narayan Sinha Bahadur.

Jessore District Board.

Chairman—Maulvi Syed Nausher Ali.

Khulna District Board.

Nil.

DACCA DIVISION.

Dacca District Board.

Nil.

Mymensingh District Board.

Nil.

DACCA DIVISION.

Faridpur District Board.

Chairman—Khan Bahadur Maulvi Alimuzzaman Choudhury, B.A., M.L.C.

Vice-Chairman—Choudhury Shamsuddin Ahmed.

Bakarganj District Board.

No information.

CHITTAGONG DIVISION.

Chittagong District Board.

Nil.

Tippera District Board.

Chairman—Khan Bahadur Abidur Reza Choudhury.

Noakhali District Board.

Nil.

RAJSHAHI DIVISION.

Rajshahi District Board.

Chairman—

Mr. Birendra Nath Roy.

Kumar Prativa Nath Roy.

Vice-Chairman—

Khan Sahib Maulvi Muhammad Basiruddin, resident of the headquarters and also Dhapaipura in the district.

Babu Suresh Chandra Chakrabarty, resident of the headquarters and Puthia in the district.

Jalpaiguri District Board.

Chairman—Rai Joy Gobinda Guha Bahadur.

Vice-Chairman—Babu Bipulendra Nath Banerjee.

Dinajpur District Board.

Vice-Chairman—

Late Maulvi Osman Ghani Choudhury.

Maulvi Nasiruddin Ahmed Chowdhury.

RAJSHAHI DIVISION.

Rangpur District Board.

Nil.

Bogra District Board.

Chairman—

Maulvi Altaf Ali.

Khan Bahadur H. R. Choudhury.

Vice-Chairman—

Dr. Jogendra Ch. Choudhury.

Dr. Mafizuddin Ahmed.

Pabna District Board.

Chairman—Maulvi Abdur Rashid Mahmood.

Malda District Board.

Chairman—

Rai Bahadur Panchanan Majumdar.

Maulvi Zahur Ahmed Choudhury.

Vice-Chairman—

Maulvi Reazuddin Ahmed.

Babu Pramatha Nath Misra.

Statement referred to in the reply to clause (a) (iv) of unstarred question No. 75.

The Chairman of the Birbhum district board, Rai A. C. Banerji Bahadur, resides in the district headquarters for 12 days in the month and in Calcutta for the rest of the month.

Maulvi Syed Nausher Ali, B.L., Chairman, Jessore district board, ordinarily resides outside the district.

No other Chairman or Vice-Chairman of district boards resides outside the district.

Statement referred to in the reply to clause (b) of unstarred question No. 75.

Travelling allowance drawn by Road Board members who are Chairmen of district boards:—

(From the creation of the Road Board up to date.)

Raja Moniloll Singh Roy—Rs. 314-6.

Maulvi Jalaluddin Ahmed—Rs. 1,765-11.

Budget Grants for 1934-35.

DEMAND FOR GRANT.

43—Famine Relief.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 56,000 be granted for expenditure under the head "43—Famine Relief."

MOTIONS FOR REDUCTION OR REFUSAL.

Babu AMULYADHAN RAY: I beg to move that the demand of Rs. 56,000 under the head "43—Famine Relief" be reduced by Rs. 100.

Sir, the situation now existing in the district of Jessore is so bad and alarming that it is not possible for me to lay my case before the House and get an answer from the Hon'ble Member within a quarter of an hour. However, Sir, whatever might be the definition of famine under the Famine Code, whatever may be the reluctance on the part of the Hon'ble Member to admit its existence, I boldly submit that famine prevails in the subdivisions of Jhenida, Narail and Magura in the district of Jessore. I would ask the Hon'ble Member by what name he would describe the situation of a district or subdivision where the people generally remain without food continuously for two or three days, living upon leaves and hemp for months together. That is exactly the situation in the district of Jessore. What I am submitting before this House is not a paper report, or from a Writers' Buildings' communique, but is the result of my personal investigation, experience and knowledge. I can say without contradiction that almost all the villages in the subdivision of Narail, Magura and part of Jhenida are

seriously affected, accompanied by epidemic of cattle disease. The agricultural loans and gratuitous relief distributed up till now is entirely insignificant and insufficient, and is like a drop of water in the ocean.

Sir, the Hon'ble Member and the Government as a whole have not taken the care and consideration that they ought to have taken under the circumstances. I will conclude with a fair warning to the authorities that if they do not take up this matter in right earnest at this stage, it will be very difficult for them to tackle the situation in future. Sir, in the Narail subdivision generally, a cultivator gets a loan of Rs. 5. On this he has to maintain himself, buy his cattle and seed. I ask you, how is this possible? I ask the Hon'ble Member whether, in these days, it is possible to meet all these expenses at a cost of Rs. 5? Therefore in all seriousness, I would ask the Hon'ble Member to face the situation with courage and with liberality as far as possible.

With these words, I commend the motion to the acceptance of the House.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 56,000 under the head "43—Famine Relief" be reduced by Re. 1.

My reason is that in spite of all the requisites of famine existing in the district of Jessore, Government have not thought fit to declare famine and give adequate relief to the people which it is bound to do under the Famine Code. In a previous motion at the beginning of the session, I drew pointed attention to the conditions existing in the district, especially in the subdivisions of Narail, Magura and Jhenida. The Hon'ble Member was kind enough to reply that adequate relief measures are being taken, but he was reluctant to call it a famine. You may call it acute distress if you like, but distress verging on misery, starvation or anything else, demands immediate attention, and I do not know why Government is so long hesitating to make a declaration under the Famine Code which is so very important and necessitates the taking up of measures which under the law they are bound to do, and which would stop the slipshod work which is being done otherwise.

Under the Famine Code, the Government, as I have already stated, is bound to take certain measures. This Famine Code was provided certainly in the interests of the people who were suffering from famine. It was never intended that because Government will have to take up certain measures, therefore they should in a roundabout way avoid the very declaration which it was intended under the Famine Code to make. This is not the only instance. Previously, there was famine in

many districts notably in Khulna, and also in a few districts like Dinajpur and other districts of Bengal, which Government did not think fit to declare under the Famine Code. Probably before the Famine Code Government might perhaps have called it a famine and taken certain measures. There have been great famines in the past years and not only India but foreign countries have helped, and one of the greatest benefits declaring a famine is that it directs attention not only of the people of the province but of other places. This beneficial effect has been destroyed, I say, by the Famine Code, the intention of which was absolutely otherwise. It was intended that as soon as famine takes place, Government makes an adequate declaration, and not only will Government help, but also other people. Now certain duties are imposed on Government by the Famine Code and Government are averse to tackle famine for this reason. The result is that Government have no money to help these people, and other people do not know that there is a famine and cannot help. Government in this case is more a hindrance than a help.

The Hon'ble Sir CHARU CHUNDER GHOSE: On an earlier occasion I stated in the hearing of this House that there was no difference of opinion whatsoever between Government and the hon'ble members, who were interested in this subject, as regards the prevalence of distress in the areas mentioned by the last speaker, and that Government had already taken the necessary steps to relieve the distress prevailing in these subdivisions. The hon'ble member says that there is famine prevailing, but the reports we have received from the local officers do not indicate that famine, in its technical sense, is prevailing. As I explained on a previous occasion, that is more or less an academic question. The hon'ble member and those who agree with him have achieved their object by drawing public attention to the question in Council and by their present amendments. Be that as it may, we have placed at the disposal of the district officers whatever sums of money they have wanted, and what more we can do from headquarters it is very difficult to say. If my health would permit, I would accompany the hon'ble members who are interested in this matter in making a journey to the famine-stricken areas, but I am afraid my health will not permit me to see to this personally. We have got to depend on our local officers who have our confidence, and we have placed at the disposal of the local officers whatever sums of money they require.

Babu Amulyadhan Ray's motion was then put and lost.

Maulvi Syed Majid Baksh's motion was then by leave of the House withdrawn.

The main demand under the head "43—Famine Relief" was then put and agreed to.

DEMAND FOR GRANT.

45—Superannuation allowances and pensions and 60B—Commuted value of pensions not charged to revenue.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 59,15,000 be granted for expenditure under the heads "45—Superannuation allowances and pensions" and "60B—Commuted value of pensions not charged to revenue".

The motion was put and agreed to.

DEMAND FOR GRANT.

46—Stationery and Printing and Depreciation Fund—Government Presses.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 19,01,000 be granted for expenditure, under the head "46—Stationery and Printing and Depreciation Fund—Government Presses."

MOTIONS FOR REDUCTION.

Mr. P. BANERJI: There are several motions standing in my name; may I, owing to shortness of time, with your permission move them together and make one speech?

Mr. PRESIDENT: No, I think I cannot allow you to do that.

Mr. P. BANERJI: I beg to move that the demand of Rs. 2,500 under the head "46A—Stationery and printing—Government presses—Bengal Government Press—Confidential allowance" be refused.

Sir, the Government of India Press has refused giving allowances to any of their press staff, and I fail to understand why the Government of Bengal should continue to have this concession of allowances. It will be noticed, Sir, that before the introduction of this very system, when the Government of Bengal Press was working in the Writers' Buildings, i.e., from 1878, there was no allowance of this nature. Afterwards in 1912 when the rates were increased to 40 per cent. this confidential allowance of 50 per cent. was granted to a certain section of the staff. Sir, the nature of work done by this particular staff is exactly the same as is done by others. Take a concrete example of printing of questions. Sir, these questions are given to particular

persons and they get the 50 per cent. allowance. Sir, books and reports of confidential nature are being done by ordinary workers and they do not get any allowance whatsoever. May I enquire why this 50 per cent. allowance should be given to these workers and will be confined only to certain sects of the people? There is nothing confidential in this, and I do not see any reason why this 50 per cent. increase has been given to the staff and to a certain section of the people only, while that increment of 40 or 50 per cent. was given to them. Therefore, I would bring it to the notice of the Hon'ble Member and want to know why this invidious distinction was made. The Government of India have abolished the allowance and there is no reason why the Government of Bengal should not follow suit.

The Hon'ble Mr. J. A. WOODHEAD: I oppose the motion. Confidential allowances are given to the workmen in the press who do confidential work and also because confidential work has often to be done at short notice. They have often to change over from one piece of work to another and if some allowances are not given, the result would be that the piece-workers would earn less than they could if they are employed in the ordinary sections of the press. We have recently examined this question and have come to the conclusion that these allowances should be continued. I am rather surprised that Mr. P. Banerji should advocate the reduction of the allowance of work people.

Mr. P. Banerji's motion was then put and lost.

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 6,95,700 under the head "46A—Stationery and printing—Government presses—Bengal Government Press" be reduced by Rs. 100 (mismanagement and waste of money).

Sir, I will take very little time of the House and make my remarks within a much shorter time than has been taken up by Mr. Banerji. I will just point out one or two things. There is a Government circular No. 2515, Finance Department, in which it is stated that the posts of head computor and of head reader will be abolished as soon as the present incumbents retire, but it is strange to say that the post of head computor has been abolished but not of the head reader. This was I understand, done on the recommendation of the Retrenchment Committee and not of the department. It seems that it has been the general principle in many departments to discharge persons getting less pay, and in this case also the head computor was discharged and not the head reader. The Hon'ble Member will find that I am not trying to cut down the allowances of these poor people but what I want to point out is that there is mismanagement. It is understood that examinations are held in the Secretariat Press for the purpose of promotion and appointment and that many examinees who

get possession of the questions beforehand acquit themselves well and get promotion, whereas those poor people who cannot get possession of the questions naturally cannot acquit themselves so well and therefore do not get promotion. It is also understood that these examinations are held to suit the aims and objects of a certain class of persons only, as will be evident from the fact that sometimes though a man may have done well at the examination, he is not given any promotion. Therefore, it will be apparent that there is gross mismanagement. I suggest that there should not be any delay in appointing an enquiry committee to investigate into the affairs of the press and find out whether the allegations made have any foundation or not.

Mr. P. BANERJI: Sir, I rise to support this motion and to say that this mismanagement is due to the fact that so far as the Bengal Government Press is concerned Government have reduced the number of operatives leaving the supervising staff untouched. The supervising staff has not got sufficient work to do and so they organise sports. Then there is another matter to which I should like to refer. It is the appointment of apprentices. I do not understand why apprentices are appointed while trained workers are available. Further, these apprentices are taken on the qualification of their being good sportsmen. There are altogether 65 apprentices in the press whose sole work is to organise sports with the supervising staff. It is unfortunate that though the trained workers can turn out three times the work of the apprentices, they get the same pay. The system of appointing apprentices has been abolished in the Government of India Press and it is not understood why the Government of Bengal also do not do away with the system. There is thus waste of money and mismanagement. It will be noticed that in 1922-23 when there were 578 operatives, the number of supervising staff was 122. In 1927 the number of operatives was reduced to 321 but the supervising staff was increased to 310. At the present moment there are 295 operatives but the supervising and clerical staff including readers is 320. In the Government of India Press in Calcutta there are altogether 722 operatives and a supervising staff of 282. These figures will prove that there is hopeless mismanagement in the Bengal Government Press. It is regrettable why the Government of Bengal should require such a large number of superior staff as one Superintendent, three Deputy Superintendents, and several other higher officers, while the Government of India Press could manage with one Manager and one Assistant Manager to control a much larger number of operatives. I therefore think the Government of Bengal should at once reduce the number of Deputy Superintendents and other high officers in their press. It must be admitted that there is not sufficient work for all the higher officers of the press, and so there is very good scope for retrenchment there without impairing the efficiency of the department.

The Hon'ble Mr. J. A. WOODHEAD: I do not admit that there is either gross mismanagement or waste of money in our press. A press which can turn out at short notice a large volume of questions and answers like that received this morning is neither inefficient nor mismanaged. Maulvi Majid Baksh dealt with the question of the head reader. It is rather difficult for me at a moment's notice without any warning to explain why the post of the head reader should be retained and other posts abolished. I can assure the House however that the post of head reader was not retained on personal grounds. It was retained for adequate and proper reasons. If we could have abolished the post without loss of efficiency we would have done so.

Maulvi Majid Baksh also alleged that there was undue favouritism as regards promotion, that certain employees were supplied with questions intentionally so that they might be in a position to answer them well and get promotion. I deny that altogether, it is not true, there was no favouritism.

As regards the system of apprentices to which Mr. Banerji referred, it was introduced two or three years ago after very careful consideration, and so far as I am aware it has been working well. Again I deny entirely that apprentices are appointed because they are good at sports. We have at the present moment 47 apprentices, and a very large number of them belong to the *bhadralok* class. The object of the apprentice system is to train men in every branch of the work of the press so that later in life they may be fully qualified to take up the highest position in any press. A system of that kind is all to the good. It ensures that apprentices are trained in every branch of the press, in printing, book-binding, and every other work of a large press. I would particularly remind the House that a very large number of these apprentices belong to the *bhadralok* class.

As regards the supervising staff, I must congratulate Mr. Banerji on his intimate knowledge of the press. I always thought that he dealt with 'buses, and not with presses. The supervising staff to which he has referred confuses the whole of the staff except the piece staff. Surely the members of the House will realise that everybody who is not on piece rates is not a supervisor; for instance, the readers do not supervise, they read; the clerical staff do not supervise, they do clerical work. So it is entirely wrong to say that everybody who is not on the piece establishment is engaged in supervision. We have examined our staff recently, and from 1930 onwards we have abolished about 83 posts. I hope the House will bear in mind the rush work which is so characteristic of the work in a Government Press and in this connection I would remind the House that the press prints these large budget volumes, usually without a mistake, at extraordinarily short notice. These budget volumes have got to be in the hands of the House by a certain date without an hour's delay.

The press often does work at very short notice and personally I have not the slightest hesitation in saying that our press is one of the best presses in India. Its employees are certainly better paid—perhaps Mr. P. Banerji objects to that—than the employees in private presses. They have more leisure, in so far as they get more holidays; and they are assured of a pension, or provident fund, which is unknown in any private press. They work under the most healthy conditions, conditions which are certainly superior to those in many private presses. So I suggest that our presses are not inefficient: they are on the contrary distinctly efficient. The Secretary to the Council reminds me that this large list of cut motions, amounting to over 700, was printed at four hours' notice. I think, Sir, that is a very good example of the efficiency of our press. I therefore oppose the motion.

Maulvi Syed Majid Baksh's motion was then put and lost.

Mr. P. BANERJI: I beg to move that the demand of Rs. 6,95,700 under the head "46A—Stationery and printing—Government presses—Bengal Government Press" be reduced by Rs. 100 (to suggest the transfer of the control of the Bengal Government Press).

The Hon'ble Finance Member has just accused me of knowing intimately the state of affairs in the press——

The Hon'ble Mr. J. A. WOODHEAD: I made no accusation, Sir.

Mr. P. BANERJI: He said that from the 'bus I came to the press. The Hon'ble Member forgets that he is only a Finance Member of the Government with certain portfolios but we, the elected representatives of the people, have got to meet not only four Executive Councillors but three Hon'ble Ministers and so many Secretaries. So it is natural that we should be possessed of facts not only of one department but of all the departments of Government; that is why we know of the 'bus as well as of the press and also of the doings of the various departments of Government, while the Hon'ble Member does not know much of them and has to depend entirely on facts placed before him in the ordinary course, and sign papers. Therefore if he had an intimate knowledge of the facts I placed before the House, he would have challenged my facts as well as the facts placed by Maulvi Majid Baksh whether they are true or not. We can prove these facts if only the Hon'ble Member would be pleased to make enquiries. I know that some of the Members of Government with good intentions have expressed a desire, which however they cannot accomplish for physical reasons, a desire to go to the distant land of Jessore, but the Government Press at Chetla is a distance of two miles only and the Finance Member can easily pay a visit to it. Why does he not take up the challenge and be prepared to come and make inquiries? But he does not do so because he knows that

our facts are absolutely correct, and he possibly cannot maintain that our facts are not correct as he has said. Therefore I say that Government has failed to manage these matters properly and it is in the fitness of things that it should be placed under a popular Minister. I am confident that in that case the Minister will manage it better, acting upon our wishes and suggestions and with less expense; so that mismanagement will cease to exist and Government will have more money available from that department to be devoted to other departments without impairing the efficiency of the press.

The Hon'ble Mr. J. A. WOODHEAD: I do not think I need do more than formally oppose the motion, Sir.

Mr. P. Banerji's motion was then put and lost.

Mr. P. BANERJI: May I enquire, Sir, how many minutes are left?

Mr. PRESIDENT: So far as this particular demand is concerned, about five minutes are left.

Mr. P. BANERJI: Then in that case I had better not move 683 and 687, because we have already discussed the abolition of the apprentice system and the decrease in the number of operatives and increase in the number of clerks and supervising staff, so that with your permission, Sir, I would like to move motions Nos. 688 and 691 and not move motions Nos. 683 and 687.

Mr. PRESIDENT: Yes, you can do so.

Mr. P. BANERJI: I beg to move that the demand of Rs. 10,300 under the head "46—Stationery and printing—Government presses—Private Secretary's Press" be refused.

I also beg to move that the demand of Rs. 36,300 under the head "46—Stationery and printing—Government presses—Darjeeling Branch Press" be refused.

My object in doing so is that there is no necessity as the Hon'ble Member says that our press at Chetla is so very efficient to have another press for the Private Secretary, which involves an expenditure of Rs. 10,300. This amount may be saved if this press is abolished. At the same time I do not see any necessity of continuing the Darjeeling Branch Press, which involves an expenditure of Rs. 36,300. We can certainly abolish these two presses immediately and without impairing efficiency. If necessary, while the Governor and the Government go to Darjeeling a small staff may be sent there from the Chetla press, but for all practical purposes these two presses may be abolished.

The Hon'ble Mr. J. A. WOODHEAD: I must oppose the motion, Sir. As far as the Private Secretary's press is concerned, it is employed on very urgent work; also, it is quite a small press. The work received by this press has often to be done at extraordinarily short notice when it would be impossible to get it done at Chetla and get it back in time. When it is not fully occupied in Private Secretary's work it is employed in doing work sent from Chetla. As far as the Darjeeling Branch Press is concerned——

(At this stage the time-limit for this subject was reached.).

So I oppose these motions, Sir.

Mr. P. Banerji's motions were put and lost.

Then the demand for Rs. 19,01,000 under the head "Stationery and Printing and Depreciation Fund—Government Presses" was put and agreed to.

EMAND FOR GRANT.

47—Miscellaneous.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 18,95,000 be granted for expenditure under the head "47—Miscellaneous."

MOTIONS FOR REDUCTION OR REFUSAL.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 18,95,000 under the head "47—Miscellaneous" be reduced by Rs. 15,00,000.

Sir, we have been hearing for some time in this House that the civil disobedience movement is moribund or gone, but to our great astonishment we find that under the head "47—Miscellaneous" there is a provision under "Miscellaneous and unforeseen charges" of Rs. 16,38,000 and on page 102 of the Red Book the members will find that it is stated that: "The decrease in the revised estimate is partly due to less expenditure on account of augmented garrisons in the districts than was originally estimated and partly due to the non-utilisation of the 'Reserve' of Rs. 40,000 provided in the original estimate. The savings under the minor head would have been larger but for increased expenditure anticipated on account of persons interned under the Bengal Criminal Law Amendment Ordinance, 1930.

The increase in the next year's estimate is mainly due to increased provision for the cost of persons detained under the Bengal Criminal Law Amendment Ordinance, 1930, partly counterbalanced by smaller provision for the cost of augmented garrisons."

Therefore, Sir, it comes to this that though the actual figures under these sub-heads are not given we find that out of Rs. 16,88,000 only Rs. 40,000 is for "general reserve" and the cost of the augmented garrison would be reduced, I take it, and roughly about 15 lakhs is mentioned as the sum required for increased provision for the cost of persons detained under the Ordinance of 1930. I do not know exactly —I must confess my ignorance—whether persons interned under the Ordinance of 1930 are still under detention. I should have thought that the Ordinance had expired long ago; but if not persons interned under the Ordinance are at least very small in number. I do not know the number and I hope the Hon'ble Home Member will enlighten us as to the number of persons at present interned under the Ordinance. If the Hon'ble Member will also turn to the budget under "25A" he will find that a sum of Rs. 5,68,000 is provided for the purpose of keeping detenus outside Bengal, so that as a matter of fact, a total sum of Rs. 24,63,000 has been provided for in the present budget for the purpose of the cost of maintaining detenus. Sir, I would like to know which version is correct: whether the civil disobedience movement has subsided and whether the number of persons under detention has become less, or whether Government really apprehend that larger and larger number would continue to be interned under the Ordinance of 1930. So far as the people are concerned, Sir, they have got to take their facts from the statements made by the Members of Government. We have been told several times that the number of detenus incarcerated under the Ordinance—which refers to the civil disobedience movement, not terrorist movement—is decreasing all over India. That has been proclaimed from the Houses of Parliament, from the Legislative Assembly and also in this House. But as I have just said, that on page 171 under "25A"—Green Book—there is a budget provision of Rs. 5,68,000 under the heading "Charge on account of persons detained outside Bengal under the Criminal Law Amendment Act, 1930"; and, then, as I have just stated there is also a provision of Rs. 15,00,000 for charges on account of persons interned under the Bengal Criminal Law Amendment Ordinance, 1930. I submit, Sir, that if the statements made on the floor of this House are correct, then these charges must be very substantially reduced. In case they are not correct, I submit that to ask the Council to pass this demand for a sum of Rs. 25 lakhs is preposterous. Further, I would like to know how many detenus Government intend to maintain during the coming year. If you divide Rs. 25 lakhs by 12, it comes to about Rs. 2 lakhs a month, which includes the cost that is paid and that is promised to be paid to the persons who are detained under the Ordinance of 1930. The average

cost of Government for each person is thus very high. I would like to draw the attention of this House to this enormous sum of Rs. 24,16,000. I think, Sir, that the House should turn down this demand by way of showing that this huge expenditure ought not to be incurred by Government in the present state of the finances of this province, as has so often been declared by Government.

Mr. SHANTI SHEKHARESWAR RAY: Mr. President, Sir, I like to say something in connection with this demand. I submit that I have been unable to fix the amount of money spent in connection with the maintenance of troops in the province. It has always been my position that not a single pice from the provincial revenues should be spent on the troops but, according to the constitution, such charges ought to be a charge on the Central Revenues or the Army Budget under the Government of India; but for reasons best known to the Government of Bengal they have been making provisions under this head year after year. I would ask the Hon'ble Member in charge of the Finance Department to take up this matter seriously and to press upon the Government of India the necessity of meeting the whole charge from non-provincial funds. Sir, it is my humble suggestion that if he fails to do that he will not be doing service to the Government of Bengal. The funds of the Government of Bengal are in his hands and it is for him to stand up and fight for that course. Sir, I do not grudge the expenditure on troops in this province but what I want is that the money should be paid by the Government of India and not by the Government of Bengal. I know that expenditure on this head is being reduced year after year. I think if the Hon'ble Member presses his point more vigorously on the Government of India, he would be able to persuade them that this expenditure should be borne by the Government of India and not by the Government of Bengal. As it is more a question of principle than of usefulness of expenditure incurred on troops, I hope that there will be no such provision in the budget in future.

Dr. NARESH CHANDRA SEN GUPTA: Mr. President, Sir, I only wish to add one thing. It seems to me to be an extraordinary method of accounting to put this item of expenditure under the heads "Miscellaneous" and "Unforeseen charges". The expenditure incurred on the number of detenus under the Criminal Law Amendment Act is one which might have been shown under its proper head elsewhere and the expenditure on garrisons ought to have formed a specific head of the budget. Sir, it looks very much like as if it has been put in surreptitiously under wrong head of expenditure—it has been put in under the head "Miscellaneous" at the fag end of the budget—so that this demand cannot properly be discussed.

The Hon'ble Mr. R. N. REID: Sir, the subject-matter of Mr. Narendra Kumar Basu's remarks is based on what I admit frankly to be an error on page 102 of the Red Book: there for the word "Ordinance" the word "Act" ought to have occurred. I am sorry for it. The expenditure to which he referred is on account of persons interned under the Bengal Criminal Law Amendment Act, 1930, and it has nothing whatever to do with the civil disobedience movement: the amount is also on account of diet allowances to detenus and their families and personal allowances. I hope the error will not occur again. Mr. Shanti Shekhareswar Ray said that nothing whatever should be spent on troops from provincial revenues but that issue was never raised. The arrangement was, I think, that the ordinary expenditure on account of the pay, allowances, etc., of the troops would be met from the Central Revenues. But, certain extra additional expenditure which would not ordinarily be included in the Army Budget, such as certain expenditure in connection with the movement of troops to this province and with the arrangements for their quartering, would have to be met by the Local Government. This is the arrangement.

Dr. Naresh Chandra Sen Gupta has referred to the question of putting in amounts in the budget in a surreptitious way. I most emphatically say that that is not so. He has said that this amount has been stuck into the budget in a surreptitious way. All that I can say, Sir, is that the classification of expenditure requires that this expenditure should be put in in the way in which it has been done. The classification of expenditure is made by the Accountant-General, and that is the reason why one finds this demand under this head. It has not been simply stuck in in the way suggested by Dr. Naresh Chandra Sen Gupta. Sir, I beg to oppose the motion.

Mr. Narendra Kumar Basu's motion being put, a division was taken with the following result:—

AYES.

Ali, Maulvi Hassan.	Moque, Kazi Emdadul.
Baksh, Maulvi Syed Majid.	Maiti, Mr. R.
Banerji, Mr. P.	Ray, Mr. Shanti Shekhareswar.
Basu, Mr. Narendra Kumar.	Rout, Babu Nagendra Nath.
Chatterjee, Mr. B. C.	Samad, Maulvi Abdus.
Chaudhuri, Babu Kishori Mohan.	Sen Gupta, Dr. Naresh Chandra.
Hakim, Maulvi Abdul.	

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.	Cohen, Mr. D. J.
Ahmed, Khan Bahadur Maulvi Emaduddin.	Dutt, Mr. R. S.
Bal, Babu Lalit Kumar.	Edgley, Mr. R. G. A.
Banerji, Rai Bahadur Keshab Chandra.	Faroqui, the Hon'ble Nawab K. G. M. Khan Bahadur.
Bagmar, Babu Prembari.	Fawcus, Mr. L. R.
Barma, Rai Sahib Panchanan.	Ghose, the Hon'ble Sir Charu Chunder.
Bottomley, Mr. J. M.	

Ghuznavi, the Hon'ble Alhadj Nawab Bahadur Sir Abdelkerim, of Dildusr.
Gilchrist, Mr. R. R.
Gladding, Mr. D.
Guha, Mr. P. N.
Gupta, Rai Bahadur Mahendra Nath.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hussain, Maulvi Latafat.
Khan, Maulvi Tamizuddin.
Martin, Mr. O. M.
Miller, Mr. C. C.
Mitter, Mr. S. C.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mullick, Mr. Mahendra Behary.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Quasem, Maulvi Abul.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Reid, the Hon'ble Mr. R. N.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Ray, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Ray Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Sarker, Rai Bahadur Rohati Mohan.
Sen, Rai Sahib Abhoy Kumar.
Sen, Mr. B. R.
Sen, Rai Bahadur Jagesh Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Steven, Mr. J. W. R.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Williams, Mr. A. deC.
Woodhead, the Hon'ble Mr. J. A.

"Ayes" being 13 and "Noes" 51, the motion was lost.

The main demand under the head "47—Miscellaneous" was then put and agreed to.

DEMAND FOR GRANT.

Expenditure in England.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,40,000 be granted for expenditure under the head "Expenditure in England".

The motion was put and agreed to.

DEMAND FOR GRANT.

Loans and Advances.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 8,78,000 be granted for expenditure under the head "Loans and advances".

The motion was put and agreed to.

LEGISLATIVE BUSINESS.

GOVERNMENT BILL.

The Bengal Cess (Amendment) Bill, 1934, as passed in Council on the 24th January, 1934.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to put before you under Standing Order 55 (section 66 of the Rules and Standing Orders), the Bengal Cess (Amendment) Bill, 1934, as passed in this Council on the 24th January, 1934.

The Bill has been returned by him under section 81A, sub-section (*1*), of the Government of India Act, for reconsideration in part only, namely, for the omission of items 3, 13 and 14 of Schedule G in clause 13. I now call upon the Hon'ble Member in charge, Sir Charu Chunder Ghose, to move the motion which stands in his name in the List of Business.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. I most respectfully ask your ruling on two points. The first is on a point of procedure, which is this. This Bill has been returned to this House by His Excellency the Governor under section 81A of the Government of India Act with a recommendation that items 3, 13 and 14 of Schedule G in clause 13 be omitted.

Mr. PRESIDENT: Where do you get the word "recommendation"? That is your own word? I never used it.

Mr. SHANTI SHEKHARESWAR RAY: "Recommendation" is the only word.

Mr. PRESIDENT: Hardly, I think. Anyhow, please proceed.

Mr. SHANTI SHEKHARESWAR RAY: You have classed that recommendation as one coming under section 66 of the Rules and Standing Orders which proves that when a Bill, which has been passed, is returned by His Excellency the Governor to the Council for reconsideration, the motion referred for consideration shall be put before the Council by the President, and shall be discussed and voted upon in the same manner as other motions. I submit that the Hon'ble Member in charge of the Bill does not come into the picture at all as intended by the Government of India Act as well as by the Standing Orders. Sir, I submit the procedure ought to be this, that the House should proceed to discuss, and either accept or reject the recommendation

made by His Excellency the Governor in respect of this Bill, namely, that items 3, 13 and 14 of Schedule G of clause 13 should be omitted. So far as this House is concerned, it cannot go beyond that. I submit that the moving of any amendment to this recommendation is out of order, because it is not the intention of the Act nor of the Rules that any recommendation coming from His Excellency should be subject to any amendment in this House. If you refer to section 81A of the Government of India Act, it provides that "Where a Bill has been passed by a local Legislative Council, the Governor, Lieutenant Governor or Chief Commissioner may, instead of declaring that he assents to or withholds his assent from the Bill, return the Bill to the Council for reconsideration, either in whole or in part, together with any amendments which he may recommend....."

Sir, the recommendation cannot come from the Hon'ble Member in charge of the Bill. It is the intention of the Act that it should come from His Excellency, and should be put before the House for decision by the Hon'ble President. That is all I have to say on this point.

Mr. PRESIDENT: Before I deal with the point raised by Mr. Ray, I wish to make another point clear which Mr. Ray raised before by an interpellation on the floor of the House. As far as I understood him on that occasion, he wanted to know how far does section 39 bar reconsideration of the Bill in the present session. Any objection on this score is, in my opinion, untenable for the simple reason that the very word "reconsideration" as it appears in 81A, sub-section (*1*), of the Government of India Act, implies that the Governor may, if he so desires, ask the Council to reconsider a particular part or portion of the Bill in the same session. The word "amendments," as used in our Standing Order 55, also implies that reconsideration is not impossible in the same session. These words have been used to make the sections as elastic as possible.

(Mr. Ray rose in his seat.)

Mr. PRESIDENT: Mr. Ray, you cannot rise now. Note down your objections, if any. The word "recommendation" to which I took exception whenever it was used by Mr. Ray has been deliberately omitted in section 66, nor does it occur in section 81A of the Government of India Act.

Mr. SHANTI SHEKHARESWAR RAY: That is not my word at all. My submission is——

Mr. PRESIDENT: I cannot yield to you Mr. Ray, you must wait till I have finished. I propose to give a complete ruling on all possible points. As I was saying, the very fact that the Governor has asked

the Council to reconsider the Bill implies, beyond a shadow of doubt, that he asks the Council to reconsider a particular portion of the Bill in the present session. One possible objection to that is that according to section 39 of the Standing Orders matters substantially identical should not be discussed in the same session, but that does not apply at all in the present special case. Assuming for argument's sake that it does apply, I do not think that it could really restrict the exercise of a power that has been given to the Governor by an explicit provision of the Act itself. Let me tell Mr. Ray what these Standing Orders are. These Standing Orders are framed under rules which were made under the Act itself. Any rule or Standing Order that has been made under the Act itself which is in conflict or is not in conformity with any provision of the Act itself must be taken to that extent to be null and void. Again under the rules of interpretation when a general intention is expressed and also a particular intention which is incompatible with the general intention, the particular intention is considered an exception to the general one. The special rule Standing Order 66 overrides a general rule—Standing Order 39.

The next point which I have to dispose of is whether the President should put the matter before the House as a "motion" as used in our Rules and Standing Orders or the Hon'ble Member in charge of the department concerned should move it in the shape of a motion by way of an amendment to the Bill. It must be known to Mr. Ray that it is not possible for the President to move any motion whatsoever. The word "put" by the President in the Standing Order only indicates the manner in which the question is to be brought to the notice of the House. It is essential that somebody according to our procedure – somebody other than the President himself—should bring it before the House in the shape of a motion as contemplated in section 37. This enables all our other Rules and Standing Orders relating to motions to function automatically. I may remind Mr. Ray that in the case of the Borstal Bill, I laid down a definite and specific procedure to the effect that it must come in the shape of a motion to be moved by the Hon'ble Member in charge of the department to which the Bill refers, and that procedure is being very strictly followed in this case, and that procedure, I take it, had the sanction of the House when it was laid down.

Let me now come to last point of Mr. Ray, viz., whether any amendment to such a motion can be brought by a member of this House. I think it would be absolutely unwise for the President to lay down any procedure by which the House would be deprived of its legitimate rights to oppose or modify any proposal that may be placed before it for its consideration. I might point out to Mr. Ray that there is no statutory provision which makes proposals with regard to Bills returned by the Governor for reconsideration or as recommended Bills sacrosanct.

Anybody who knows anything of constitutional law or parliamentary procedure will at once realise the unwisdom of "gagging" the House. If a member of the House wants to move any amendment, let the amendment be moved and let the House consider it. That is the principle which has guided me always, and I think I should be guided by it in the present case.

The Hon'ble Sir CHARU CHUNDER GHOSE: Sir, after the discussion we have had just now all that remains for me to do is to move the amendment to the Bengal Cess Bill, 1934, that stands in my name, namely, that in clause 13 in Schedule G, items 3, 13 and 14 be omitted. I will just take a few minutes of your time, Sir, and of the time of the Council to explain why this proposed amendment has been rendered necessary. The House will remember that the Cess Bill was passed on the 24th January by the House. It is a matter of common knowledge that in certain districts in Bengal cess revaluation proceedings are going on, and if those cess revaluation proceedings were not completed and brought into operation before the Bill, which was passed by this Council, is published in the official gazette, those revaluation proceedings will become abortive, that is to say, the whole thing will have to be done over again after the new Act of 1934 comes into force. That means, in other words, that all the money that has been spent up to the present time will be thrown away. I need not labour the point, but would point out that the district boards will not contribute again, neither the *zemindars*, nor the tenants, nor the Government. So there will be an *impassé* and a very difficult situation will arise. In three districts of Bengal, namely, Bakarganj, Chittagong and Birbhum, cess revaluation operations under the existing Act are at present in progress. In Chittagong and Birbhum there are general revaluation operations and in Bakarganj the operations are confined to certain selected estates. Before bringing the new method of valuation in these districts it will be necessary that the operations which are at present going on should be wound up as quickly as possible. We have made inquiries on this behalf and instructions have been issued by the Board of Revenue that the operations should be brought into termination as soon as possible, but Government have been informed that it would not be possible to do this before the end of this year. For these reasons it is necessary for the present to exclude these three districts from the schedule, namely, Schedule G. The intention of Government is to include them again as soon as possible in the schedule under the provisions of section 107A (*2*). The House is aware that there is in the Bill, which was passed by the House on the 24th January, 1934, provision for the issue of a notification under which districts not mentioned in the existing schedule may be included in Schedule G, and the intention of Government is that if the House is so good as to accept the proposal that I am laying before the House, necessary orders will be

published in a notification issued by the Government of Bengal later on including these three districts in Schedule G. To put it in a less complex manner the intention is this, that as these cess revaluation operations will become abortive if this Bill is published in the local gazette and as it is impossible to bring these operations to a close before the day when this Bill in the ordinary course will have to be published in the local gazette, Government suggest that let these three districts be excluded from the schedule. If they are excluded from the schedule, the operations can go on, and when the operations are brought into termination—that will be at a time when the Bill is published in the official gazette—and later in order to have the benefit of the various sections of the present Bill, we will issue a notification including these three districts in Schedule G. The result will be that under the Bill passed by the Council the revaluation can only be to the extent of 20 per cent. or thereabout, and there is no chance of any revaluation inflicting any hardship whatsoever or exceeding the limit of 20 per cent. So it is much better from the point of view of people who have estates which have to be revalued for the purpose of levying the cess that they should welcome this opportunity to have their estates in those districts being included in Schedule G so that they can rest assured that the increase in revaluation will never exceed a certain limit stated in the Act, whereas in the existing Act there is no limit to the increase in revaluation; they can be increased by 30, 40 or even 100 per cent. Therefore, I suggest to the House that for the purpose of safeguarding their interests those who have estates in these districts should welcome this opportunity of having their districts included in Schedule G. At present we have information that cess revaluation operations are going on only in three districts, namely, Birbhum, Bakarganj and Chittagong. I think I have fully explained to the House what the position is. I suggest that the House do take into very careful consideration what I have indicated to them and pass this Bill. I may just add one word more. Under the existing law Collectors have discretion to do the needful in the matter of hardship, and if under the existing Act there is any case of hardship due to the operations which have already been completed, Collectors have discretion to interfere in the matter and to mitigate the hardship, and Collectors will be so advised by my department.

Babu KISHORI MOHAN CHAUDHURI: Sir, may I inquire when that instruction will be issued to the Magistrates, as soon as the Act comes into operation or whether there will be any delay, because delay may cause hardship to many?

Mr. O. M. MARTIN: Sir, Government have been watching, through the Board of Revenue, very closely the progress of these cess revaluation proceedings in order to see that there might be no hardship or overvaluation. I think that answers the point raised.

Mr. NARENDRA KUMAR BASU: Sir, may I speak on the motion moved by the Hon'ble Member in charge?

Mr. PRESIDENT: Yes.

Mr. NARENDRA KUMAR BASU: I do not mind confessing that when I saw this amendment, I was unable to find any reason why this amendment was necessary, but when it was said that revaluation proceedings were going on in these districts, I thought I would be able to support the amendment. The statement made by the Hon'ble Member in charge, however, has very much clouded the issue and has put it on a different footing altogether. If I understood him aright, he said that these districts would be excluded from the schedule and the present revaluation will go on, and as soon as it would be finished, they would be put into the schedule, that is to say, another revaluation will take place in those districts. If that be the case, then I submit that in order to prevent this waste of money and instead of trying to allow the present proceedings to be concluded and then rendered abortive, we must oppose the motion. The Hon'ble Member has said that the present proceeding will be allowed to go on and come to a termination and as soon as that has been done, these districts will be placed in the schedule. That is why I am now doubtful as to the propriety of the amendment. If that be so, in order to prevent the present proceedings from being abortive and in order to prevent the sum of money which has already been spent from being wasted we shall have to waste quite a larger sum of money by not stopping the present proceedings and then again have revaluation in those districts under the new Act. That, I submit, will not be beneficial either to the holders of estates or to the people or to the Government. It may be beneficial to particular officials of Government who may get some allowance for this work, but in my submission the Council ought not, in the face of the statement made by the Hon'ble Member, lend its countenance to this huge waste of funds.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am afraid there has been a good deal of misunderstanding as regards the necessity of the amendment which has been moved by the Hon'ble Member in charge of Revenue. I may also mention that the meaning that has been given to the Hon'ble Member's statement is not quite what he really meant. The position is this that under the present Act if Schedule G be allowed to stay as it is, it would be incumbent that the valuation or revaluation of lands in the three districts of Birbhum, Bakarganj and Chittagong will have to be made under section 107A of the present Act, because it definitely lays down and there is no option in the matter, that

valuation or revaluation of the land included in Schedule G must be made in accordance with the provisions of the Bill. That being so, if Schedule G is not amended it will mean that although in these districts revaluation proceedings have come very much near to the end or are almost complete all this will have to be washed out and will have to start over again under the provisions of this Act. That will mean a lot of unnecessary expenditure at the present moment and waste of time and labour. The apprehension of some members—at least the reason why perhaps Kishori Babu tabled that amendment, was that he thought that if valuation was done under the present Act, there should be a limit under section 107D, that the total cess could not be increased by more than 20 per cent. according to section 107D. But if these three districts were excluded it was quite possible, as the Hon'ble Member in charge of Revenue said, that the valuation could go up to any sum. Therefore, the apprehension probably of some members is that in these three districts they will lose the safeguards of the provision of section 107D. They therefore want that these three districts should be allowed to remain within Schedule G. As a matter of fact, as has been stated by the Hon'ble Member, the Board of Revenue is quite aware that hardships have been done in the assessment of *khas* land in Chittagong and Bakarganj, and they are watching very carefully to see that the assessment may not go up and operate harshly on the people. Supposing in such cases where revaluation has been made and operates harshly on the people, it is permissible for the Collector and the Commissioner to revise that assessment under section 37 of the Act, and the Commissioner or the Board may also revise the valuation under section 93. Therefore in any particular cases of hardships, it is open to the parties to apply to the Collector and to the proper authorities to have the revaluation reduced: that is under the old Act. Therefore it is not necessary, under the special circumstances in which these three districts are placed, to give them the safeguard which is provided in section 107D.

As regards the other point, Mr. N. K. Basu has wrongly understood the position, that it is the recommendation of the Hon'ble Member in charge of Revenue that immediately after the revaluation is done these districts should be included under Schedule G. What really is meant is that if the revaluation of these districts really operates very harshly upon the people and the people really want that the revaluation should be done again (it cannot be done before the expiry of five years under the present Act) these three districts can be again included under Schedule G and revaluation can be made after five years under the present Act. I think the amendment is perfectly in order; and not only in order, it is very necessary to avoid large expenditure of money and waste of time. Therefore, I think, the House will understand that it is necessary to support the amendment.

Babu KISHORI MOHAN CHAUDHURI: If the Collector has to take into consideration any special hardships that shall have to be taken under the old Act. But under the old Act no limit can be placed upon the increase, if there is any irregularity, until that can be remedied. But I say that it will be better to amend so as to bring it within the special provisions provided in section 107D, that it cannot be increased by more than 20 per cent. The Collector should be authorised to take into consideration that fact and in that way he can remedy these defects or if an order is issued upon the Collector that these districts may be taken under the schedule or again retransferred, without going into special valuation: that limit may be considered. This will save money, Sir. So in that view I think it would have been proper form to have moved my amendment, and may I have your permission to move it now, Sir?

Mr. PRESIDENT: No, you cannot move it. I called upon you when your turn came to move your amendment but you did not move it then.

Babu KISHORI MOHAN CHAUDHURI: Anyhow, Sir, I bring this difficulty to the notice of the Hon'ble Member and I appeal to him to avoid this either by way of issuing a notice that these districts will be again retransferred and action under section 107D taken, or that the limit question may be taken into consideration by an executive order.

Mr. O. M. MARTIN: With your permission, Sir, I would mention a couple of points which it is necessary to clear up as there is a misunderstanding about Government's intention with regard to this amendment. It is not the intention of Government after completing the cess revaluation in Birbhum, Chittagong and Bakarganj to again take them up immediately again under the new Act. It has not yet been decided which districts will be first selected for revaluation under the new Cess Bill, when it has the force of law. That is a matter which will have to receive very careful consideration and rules will have to be framed. We have to experiment in one or two selected districts; so it is quite impossible for us to take up these three districts again and at once; moreover, that would not be right in principle. I hope this explanation meets Mr. Basu's fears.

As regards the possible increase in valuation in Birbhum, Chittagong and Bakarganj, I wish to correct any impression that may have been created, that we intend to limit the increase in these three districts to 20 per cent. on the old revaluation. We cannot give such assurance under the present Act. But what we can say is that we have been watching the revaluation proceedings very carefully in

order that there may be no unfair increase which will operate harshly on the landlords and tenants: we cannot say anything more, Sir. I think that is all.

The Hon'ble Sir Charu Chunder Ghose's motion was then put and agreed to.

The Hon'ble Sir CHARU CHUNDER GHOSE: I beg to move that the Bengal Cess (Amendment) Bill, 1934, as further amended, be passed.

The motion was put and agreed to.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

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(Official Report.)

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